

THE NATIONAL ARCHIVES
 LITTERA
 SCRIPTA
 MANET
FEDERAL REGISTER
 OF THE UNITED STATES
 1934
 VOLUME 6
 NUMBER 150

Washington, Saturday, August 2, 1941

The President

EXECUTIVE ORDER

ESTABLISHING THE OFFICE OF THE COORDINATOR OF INTER-AMERICAN AFFAIRS IN THE EXECUTIVE OFFICE OF THE PRESIDENT AND DEFINING ITS FUNCTIONS AND DUTIES

By virtue of the authority vested in me by the Constitution and statutes of the United States, and in order to define further the functions and duties of the Office for Emergency Management with respect to the unlimited national emergency declared by the President on May 27, 1941,¹ and to provide for the development of commercial and cultural relations between the American Republics and thereby increasing the solidarity of this Hemisphere and furthering the spirit of cooperation between the Americas in the interest of Hemisphere defense, it is hereby ordered as follows:

1. There is established within the Office for Emergency Management of the Executive Office of the President the Office of the Coordinator of Inter-American Affairs, at the head of which there shall be a Coordinator appointed by the President. The Coordinator shall discharge and perform his duties and responsibilities under the direction and supervision of the President. The Coordinator shall serve as such without compensation, but shall be entitled to actual and necessary transportation, subsistence, and other expenses incidental to the performance of his duties.

2. Subject to such policies, regulations, and directions as the President may from time to time prescribe, the Office of the Coordinator of Inter-American Affairs shall:

a. Serve as the center for the coordination of the cultural and commercial relations of the Nation affecting Hemisphere defense.

b. Formulate and execute programs, in cooperation with the Department of

State which, by effective use of governmental and private facilities in such fields as the arts and sciences, education and travel, the radio, the press, and the cinema, will further the national defense and strengthen the bonds between the nations of the Western Hemisphere.

c. Formulate, recommend, and execute programs in the commercial and economic fields which, by the effective use of governmental and private facilities, will further the commercial well-being of the Western Hemisphere.

d. Assist in the coordination and carrying out of the purposes of Public Resolution No. 83 approved June 15, 1941, entitled "To authorize the Secretaries of War and of the Navy to assist the governments of American republics to increase their military and naval establishments, and for other purposes."

e. Review existing laws and recommend such new legislation as may be deemed essential to the effective realization of the basic cultural and commercial objectives of the Government's program of Hemisphere solidarity.

f. Exercise and perform all powers and functions now or heretofore vested in the Office for Coordination of Commercial and Cultural Relations Between the American Republics, established by order of the Council of National Defense on August 16, 1940.

g. Keep the President informed with respect to progress made in carrying out this Order; and perform such other related duties as the President may from time to time assign or delegate to it.

3. In the study of problems and in the execution of programs, it shall be the policy of the Office of the Coordinator of Inter-American Affairs to collaborate with and to utilize the facilities of existing departments and agencies which perform functions and activities affecting the cultural and commercial aspects of Hemisphere defense. Such departments and agencies are requested to cooperate with the Coordinator in arranging for appropriate clearance of proposed policies and measures involving the com-

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¹ 6 F.R. 2617.



Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.25 per month or \$12.50 per year; single copies 10 cents each; payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington, D. C.

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mercial and cultural aspects of Inter-American affairs.

4. Within the limits of funds appropriated or allocated for purposes encompassed by this Order, the Coordinator may contract with and transfer funds to existing governmental agencies and institutions and may enter into contracts and agreements with individuals, educational, informational, commercial, scientific, and cultural institutions, associations, agencies, and industrial organizations, firms, and corporations.

5. The Coordinator is authorized and directed to take over and carry out the provisions of any contracts heretofore entered into by the Office for Coordination of Commercial and Cultural Relations Between the American Republics, established by order of the Council of National Defense on August 16, 1940.² The Coordinator is further authorized to assume any obligations or responsibilities which have heretofore been undertaken by the said Office for and on behalf of the United States Government.

6. There is hereby established within the Office of the Coordinator of Inter-American Affairs a Committee on Inter-American Affairs, consisting of the Coordinator as Chairman, one designee each from the Departments of State, Treasury, Agriculture, and Commerce, the President of the Export-Import Bank and such additional representatives from other agencies and departments as may be designated by the heads of such departments or agencies at the request of the Coordinator of Inter-American Affairs. The Committee shall consider and correlate proposals with respect to the commercial, cultural, educational, and scientific aspects of Hemisphere defense relations, and shall make recommendations to the appropriate Government departments and agencies.

7. The Coordinator may provide for the internal organization and management of the Office of the Coordinator of Inter-American Affairs. The Coordinator shall obtain the President's approval for the establishment of the principal subdivisions of the office and the appointment of the heads thereof. The Coordinator may appoint such committees as may be required for the conduct of the activities of his office.

8. Within the limits of such funds as may be appropriated to the Coordinator or as may be allocated to him by the President, the Coordinator may employ necessary personnel and make provisions for necessary supplies, facilities, and services. However, the Coordinator shall

² 5 F.R. 2938.

use such statistical, informational, fiscal, personnel, and other general business services and facilities as may be made available to him through the Office for Emergency Management.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,
July 30, 1941.

[No. 8840]

[F. R. Doc. 41-5606; Filed, July 31, 1941;
2:51 p. m.]

Rules, Regulations, Orders

TITLE 19—CUSTOMS DUTIES

CHAPTER I—BUREAU OF CUSTOMS

[T. D. 50438]

PART 6—INVOICES, ENTRY, AND ASSESSMENT OF DUTIES

PART 17—CUSTOMS WAREHOUSES AND CONTROL OF MERCHANDISE THEREIN

CUSTOMS REGULATIONS OF 1937, FURTHER AMENDED TO DISPENSE WITH CONSULAR INVOICES FOR CERTAIN MERCHANDISE TRANSFERRED FROM A FOREIGN-TRADE ZONE INTO CUSTOMS TERRITORY

The Customs Regulations of 1937 are amended as follows:

Section 6.16 (b), as amended by T. Ds. 49499,¹ 49535,² 50317,³ and 50400⁴ [Article 299 (b)], is further amended by adding at the end thereof item 19, reading as follows:

§ 6.16 Invoice to be filed with entry. * * *

(b) * * *

(19) Articles, whether privileged or nonprivileged, resulting from manipulation in a foreign-trade zone which are of a kind not falling within one of the other exemptions under this article. (Secs. 484 (b), 624, 46 Stat. 722, 759; 19 U.S.C. 1484 (b), 1624)

Section 17.30, Admission of merchandise; treatment; shipment to customs territories; appraisals; reshipment to zone, as amended by T. D. 50210⁵ [Article 950 (g) (1)], is further amended by adding at the end of paragraph (f) (1) a new sentence reading as follows:

A consular invoice will not be required for privileged or nonprivileged merchandise transferred from the zone into customs territory if of a kind falling within one of the exemptions under article 299 (b). (Secs. 484 (b), 624, 46 Stat. 722, 759; 19 U.S.C. 1484 (b), 1624)

[SEAL]

W. R. JOHNSON,
Commissioner of Customs.

Approved: July 29, 1941.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 41-5605; Filed, July 31, 1941;
2:29 p. m.]

¹ 3 F.R. 856.

² 3 F.R. 1000.

³ 6 F.R. 645.

⁴ 6 F.R. 2711.

⁵ 5 F.R. 2843.

TITLE 30—MINERAL RESOURCES
CHAPTER III—BITUMINOUS COAL
DIVISION

[Docket No. A-897]

PART 324—MINIMUM PRICE SCHEDULE,
DISTRICT NO. 4

ORDER GRANTING TEMPORARY RELIEF AND
 CONDITIONALLY PROVIDING FOR FINAL
 RELIEF IN THE MATTER OF THE PETITION
 OF DISTRICT BOARD 4 FOR THE ESTABLISH-
 MENT OF PRICE CLASSIFICATIONS AND
 MINIMUM PRICES FOR THE COALS OF CER-
 TAIN MINES IN DISTRICT NO. 4

An original petition, pursuant to sec-
 tion 4 II (d) of the Bituminous Coal Act
 of 1937, having been duly filed with this
 Division by the above-named party, re-
 questing the establishment, both
 temporary and permanent, of price
 classifications and minimum prices for
 the coals of certain mines in District
 No. 4; and

It appearing that a reasonable show-
 ing of necessity has been made for the
 granting of temporary relief in the man-
 ner hereinafter set forth; and

No petitions of intervention having
 been filed with the Division in the above-
 entitled matter; and

It appearing that this action is neces-
 sary in order to effectuate the purposes
 of the Act;

It is ordered, That, pending final dis-
 position of the above-entitled matter,
 temporary relief is granted as follows:
 Commencing forthwith § 324.7 (*Alph-
 abetical list of code members*) is amended
 by adding thereto Supplement R-I,
 § 324.8 (*Numerical list of mines*) is
 amended by adding thereto Supplement
 R-II, § 324.2 (*Seasonal discounts*) is
 amended by adding thereto Supplement
 R-III, § 324.10 (*General prices*) is
 amended by adding thereto Supplement
 R-IV, § 324.11 (*Special prices—(a) Rail-
 road fuel prices for all movements ex-
 clusive of lake cargo railroad fuel*) is
 amended by adding thereto Supplement
 R-V, and § 324.24 (*General prices in
 cents per net ton for shipment into all
 market areas*) is amended by adding
 thereto Supplement T, which supple-
 ments are hereinafter set forth and
 hereby made a part hereof.

It is further ordered, That pleadings in
 opposition to the original petition in the
 above-entitled matter and applications
 to stay, terminate or modify the tempo-
 rary relief herein granted may be filed
 with the Division within forty-five (45)
 days from the date of this Order, pur-
 suant to the Rules and Regulations Gov-
 erning Practice and Procedure before the
 Bituminous Coal Division in Proceedings
 Instituted Pursuant to section 4 II (d) of
 the Bituminous Coal Act of 1937.

It is further ordered, That the relief
 herein granted shall become final sixty
 (60) days from the date of this Order,
 unless the Director shall otherwise order.

Since the information contained in the
 petition with respect to the Tedrow No. 2
 Mine of Charles Tedrow does not accord

with that shown by the official records of
 the Bituminous Coal Division, no price
 classifications and minimum prices for
 the coals of this mine are established
 herein.

No price classifications and minimum
 prices are established herein for the coals
 of the White Mine (Mine Index No. 1899)
 of Herman R. White & Sons, as price
 classifications and minimum prices for
 the coals of this mine have been proposed
 in a subsequent petition, filed on June 24,

1941, and designated as Docket No.
 A-937. The two petitions propose the
 same price classifications and minimum
 prices for the mine in question, but desig-
 nate different freight origin group num-
 bers. The establishment of price classi-
 fications and minimum prices for this
 mine will be considered in Docket No.
 A-937.

Dated July 17, 1941.

[SEAL]

DAN H. WHEELER,
 Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 4

NOTE: The material in these supplements is to be read in the light of the classifications,
 prices, instructions, exceptions and other provisions contained in Part 324, Minimum Price
 Schedule for District No. 4 and Supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 324.7 Alphabetical list of code members—Supplement R-I

[Alphabetical list of code members having railway loading facilities, showing price classification by size group numbers]

Mine Index No.	Code member	Mine name	Subdistrict No.	Season	Type	Freight origin group Nos.	Price classifications by size group numbers											
							1	2	3	4	5	6	7	8	9	10	11	12
2883	Alumbaugh & Sicker Coal Mining Co., Ltd. (G. S. Sicker)	Alumbaugh & Sicker Coal Mining Co., Ltd.	4	6	Strip	58	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q
1628	Beach, Marie (Beach Coal Co.)	Beach (Formerly Smith)	4	6	Strip	55	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q
735	Birch Hollow Coal Co. (John Mitchell)	Birch Hollow	5	6	Deep	101	K	K	O	O	O	O	Q	Q	Q	Q	Q	Q
865	Blue Rock Coal Co. (C. Stone)	Blue Rock	6	7	Deep	31	O	O	O	O	O	O	O	Q	Q	Q	Q	Q
2897	Bruns, Ernest	Bruns	4	5	Strip	51	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q
2264	Buckeye Coal Mining Co., Inc., The	McCombs	4	6	Strip	71	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q	Q
2900	Burnwell Coal Company (Norman A. Page)	Burnwell	4	3	Deep	72	Q	Q	Q	Q	O	O	Q	Q	Q	Q	Q	Q
2882	Bush, Ed	Bush	7	5	Deep	42	K	K	O	O	O	O	O	O	O	O	O	O
517	Covey, Chas.	Covey Coal Co.	1	8	Deep	11	O	O	O	O	O	O	O	O	O	O	O	O
2727	Dover Dam Mining Co. c/o Wm. C. Grolbert	Dover Dam	4	6	Deep	57	Q	Q	Q	Q	O	O	Q	Q	Q	Q	Q	Q
2319	Dumont Hollow Coal Company (Theodore Nutter)	Dumont Hollow	5	6	Deep	22	K	K	O	O	O	O	Q	Q	Q	Q	Q	Q
524	Garrett Bros. Coal Co.	Garrett Bros.	1	8	Deep	11	O	O	O	O	O	O	O	O	O	O	O	O
2582	Hall, James B.	Merritt Run	1	8	Deep	9	O	O	O	O	O	O	O	O	O	O	O	O
2739	Linton, W. A. (Sewellsville Coal Company)	Beech Cove	1	8	Deep	51	O	O	O	O	O	O	O	O	O	O	O	O
2063	McVey-Rosser Coal Company (F. M. Rosser)	#1	5	6	Deep	22	K	K	O	O	O	O	Q	Q	Q	Q	Q	Q
2188	Manley Cooperative Mining Company (Wm. Manley)	Emergency	1	8	Deep	18	O	O	O	O	O	O	O	O	O	O	O	O
824	Matthews & Horden	Matthews	5	6	Deep	22	K	K	O	O	O	O	Q	Q	Q	Q	Q	Q
206	Muskingum Coal Co., The	Muskingum-Jones #6	6	6	Deep	31	O	O	O	O	O	O	Q	Q	Q	Q	Q	Q
207	Muskingum Coal Co., The	Muskingum-Jones #7	6	6	Deep	31	O	O	O	O	O	O	Q	Q	Q	Q	Q	Q
1966	Novak, Steve	Novak	4	6	Deep	75	K	K	O	O	O	O	Q	Q	Q	Q	Q	Q
794	Sand Run Coal Company	Sand Run Coal Co.	5	6	Deep	25	K	K	O	O	O	O	Q	Q	Q	Q	Q	Q
2808	Scott, Bert	Scott Mine	8	8	Deep	29	K	K	O	O	O	O	Q	Q	Q	Q	Q	Q
2891	Seyfried Coal Company (Charles Lefthelt)	Seyfried Coal Co.	8	8	Deep	25	K	K	O	O	O	O	Q	Q	Q	Q	Q	Q
1272	Siders & Co., W. H.	Siders	8	8	Deep	25	K	K	O	O	O	O	Q	Q	Q	Q	Q	Q
2781	Tar Run Coal Co. (Dave Gibson)	Tar Run	1	8	Deep	11	O	O	O	O	O	O	O	O	O	O	O	O

§ 324.8 Numerical list of mines—Supplement R-II

Mine Index No.	Mine name	Code member	Freight origin districts	Freight origin group Nos.	Railroad	Subdistrict No.
206	Muskingum-Jones #6	Muskingum Coal Co., The	Crooksville	31	B&O	6
207	Muskingum-Jones #7	Muskingum Coal Co., The	Crooksville	31	B&O	6
517	Covey Coal Co.	Covey, Chas.	Ohio No. 8	11	B&O	1
524	Garrett Bros.	Garrett Bros. Coal Co.	Ohio No. 8	11	B&O	1
735	Birch Hollow	Birch Hollow Coal Co. (John Mitchell)	Jackson	101	B&O, C&O	5
794	Sand Run Coal Co.	Sand Run Coal Company	Hocking	22	C&O	5
824	Matthews & Horden	Matthews & Horden	Hocking	22	C&O	5
865	Blue Rock	Blue Rock Coal Co. (C. Stone)	Crooksville	31	B&O	6
1272	Siders & Co., W. H.	Siders	Pomeroy	25	NYC	8
1628	Beach (Formerly Smith)	Beach, Marie (Beach Coal Co.)	Middle	55	W&LE	4
1966	Novak	Novak, Steve	Leetonia	75	Erle, PL&W	4
2053	#1	McVey-Rosser Coal Company (F. M. Rosser)	Hocking	22	C&O	5
2188	Emergency	Manley Cooperative Mining Company (Wm. Manley)	Ohio No. 8	18	W&LE	1

§ 324.8 Numerical list of mines—Supplement R-II—Continued

Mine index No.	Mine name	Code member	Freight origin districts	Freight group Nos.	Railroad	Subdistrict No.
2264	McCombs	Buckeye Coal Mining Co., Inc., The	Leetonia	71	Erie	4
2219	Dumont Hollow	Dumont Hollow Coal Company (Theodore Nutter)	Hooking	22	C&O	5
2282	Merritt Run	Hall, James B.	Ohio No. 8	9	B&O, W&LE	1
2277	Dover Dam	Dover Dam Mining Co. c/o Wm. C. Grobert	Middle	57	B&O, PRR	4
2739	Beech Cove	Linton, W. A. (Sewellville Coal Company)	Middle	51	B&O	1
2781	Tar Run	Tar Run Coal Co. (Dave Gibson)	Ohio No. 8	11	B&O	1
2808	Scott Mine	Scott, Bert	Pomeroy	29	C&O, NYC	8
2882	Bush	Bush, Ed	Jackson	42	DT&I	7
2883	Alumhaugh & Sicker Coal Mining Co., Ltd. (G. S. Sicker)	Alumhaugh & Sicker Coal Mining Co., Ltd.	Middle	58	PRR, W&LE	4
2891	Seyfried Coal Co., Ltd.	Seyfried Coal Company (Charles Leifheit)	Pomeroy	25	NYC	8
2897	Bruns	Bruns, Ernest	Middle	51	B&O	4
2900	Burnwell	Burnwell Coal Company (Norman A. Page)	Leetonia	72	PRR	4

§ 324.2 Seasonal discounts—Supplement R-III

On all shipments of coal in size groups 1 or 2, the discounts shown below in cents per net ton may apply. The date of shipment and not the date of sale shall govern the seasonal price applicable. These seasonal discounts apply for shipments to all market areas except market areas 1 to 13, inclusive, 98 and 99 (Great Lakes), river shipments, vessel fuel, and railroad fuel

Seasonal discounts	Freight origin districts	Freight origin group Nos.	Additional freight group Nos.	Mine index Nos.	Additional mine index Nos.	Amount of discount for shipments during the month of—
						April May June July Aug.
Ohio No. 8	9, 10, 11, 12, 14, 15, 17, 18, 19			Add mine index Nos. 517, 524, 2188, 2582, 2781.		30 20 10 ---
Hooking	21, 22, 26, 27, 28			Add mine index Nos. 794, 824, 2033, 2319.		50 40 30 20 10
Pomeroy	23, 25	Add 29		Add mine index Nos. 1272, 2808, 2891.		50 40 30 20 10
Crooksville	31, 32, 33, 34, 36			Add mine index Nos. 296, 207, 865.		30 20 10 ---
Jackson	41	Add 101		Add mine index Nos. 735.		50 40 30 20 10
Middle	41, 42, 43			Add mine index Nos. 2882.		50 40 30 20 10
	53, 54, 57			Add mine index Nos. 2727.		30 20 10 ---
	52	Add 51		Add mine index Nos. 2789.		30 20 10 ---
	55	Add 51, 53		Add mine index Nos. 2883, 2897.		30 20 10 ---
Leetonia	71	Add 72, 75		Add mine index Nos. 1628.		30 20 10 ---
	72, 74	Add 71		Add mine index Nos. 1966, 2900.		30 20 10 ---
				Add mine index No. 2264.		30 20 10 ---

Seasonal discounts as shown in § 324.2 of the Schedule of Effective Minimum Prices apply to all additional mine index numbers hereinabove noted.

§ 324.10 General prices—Supplement R-IV

PRICES FOR ALL-RAIL SHIPMENT FROM MINES INDEXED BELOW INTO MARKET AREAS AS SHOWN

[For shipment into all market areas, see Schedule of Effective Minimum Prices. Also applies to Market Areas 98 and 99 (Great Lakes), and Vessel Fuel]

Freight origin districts	Freight origin group Nos.	Additional freight group Nos.	Mine index Nos.	Additional mine index Nos.
Ohio No. 8	9, 10, 11, 12, 14, 15, 17, 18, 19		10, 21, 26, 30, 31, 34, 35, 42, 43, 54, 55, 56, 57, 65, 78, 81, 99, 102, 103, 107, 111, 114, 115, 116, 122, 123, 124, 127, 128, 144, 145, 147, 152, 157, 164, 167.	Add mine index Nos. 517, 524, 2188, 2582, 2781.
Hooking	21, 22, 26, 27, 28		1, 27, 33, 41, 47, 59, 61, 64, 73, 74, 75, 76, 86, 90, 109, 128, 130, 168, 170, 171.	Add mine index Nos. 794, 824, 2033, 2319.
Pomeroy	23, 25	Add 29	14, 22, 38, 70, 82, 100, 101, 105, 112, 113.	Add mine index Nos. 1272, 2808, 2891.
Crooksville	31, 32, 33, 34, 36		4, 28, 66, 85, 91, 104, 106, 126, 138, 143, 146, 155, 156, 160, 162, 165.	Add mine index Nos. 296, 207, 865.
Jackson	41	Add 101	39, 136	Add mine index No. 735.
Middle	41, 42, 43		2, 131, 134	Add mine index No. 2882.
	53, 54, 57		49, 50, 67, 94, 132	Add mine index No. 2727.
	52	Add 51	6, 158, 172	Add mine index No. 2789.
	55	Add 51-58	13, 108	Add mine index Nos. 2883, 2897.
Leetonia	71	Add 72-75	5, 48, 110	Add mine index Nos. 1628.
	72, 74	Add 71	3, 77, 159, 166	Add mine index Nos. 1966-2900.
				Add mine index No. 2264.

Prices as shown in §§ 324.9, 324.10, 324.11 (b), 324.11 (c), and 324.11 (d) of the Schedule of Effective Minimum Prices apply to all additional mine index numbers hereinabove noted.

§ 324.11 Special prices—(a) Railroad fuel prices for all movements exclusive of lake cargo railroad fuel—Supplement R-V

RAILROAD FUEL PRICES FOR ALL MOVEMENTS EXCLUSIVE OF LAKE CARGO RAILROAD FUEL FROM MINES INDEXED BELOW

[For shipment to railroads as shown—see schedule of effective minimum prices]

Name of railroad	Mine index Nos.	Additional mine index Nos.
Baltimore & Ohio Railroad Co.	10, 21, 30, 33, 39, 40, 88, 71, 72, 78, 81, 85, 87, 95, 96, 103, 104, 106, 116, 121, 124, 128, 134, 136, 144, 146, 147, 154, 155, 157, 160, 162, 164, 167, 171.	Add mine index Nos. 206, 207, 517, 524-735, 865-2382, 2727-2789-2781.
Chesapeake & Ohio Railway Co.	8, 25, 133, 153, 161	Add mine index No. 2897.
Detroit, Toledo & Ironton Railroad Co.	14, 38, 41, 47, 61, 70, 72, 76, 78, 82, 86, 101, 105, 112, 113, 130, 131, 168, 170, 171.	Add mine index Nos. 735, 794, 824, 2033, 2319, 2882.
Erie Railroad	2, 72, 142	Add mine index No. 1966.
New York Central System	53	Add mine index Nos. 1272, 2883, 2891.
Pennsylvania Railroad Co.	1, 4, 6, 18, 2, 27, 28, 34, 35, 47, 54, 59, 64, 66, 73, 74, 85, 90, 91, 100, 107, 109, 126, 128, 158, 161, 163, 156, 158, 172.	Add mine index Nos. 2727, 2900.
Pittsburgh, Lehigh & Western Railroad	11, 26, 31, 42, 43, 49, 50, 55, 56, 57, 62, 65, 67, 69, 81, 94, 111, 114, 115, 132, 152, 162, 165, 169.	Add mine index No. 2883.
Wheeling & Lake Erie Railway Co.	9, 34, 36, 32, 42, 43, 52, 81, 99, 102, 122, 127, 135, 145, 154, 157, 164.	Add mine index Nos. 2188, 2582.
	5, 12, 37, 48, 110, 119.	Add mine index Nos. 1628, 2883.

Prices as shown for mine index No. 7 in § 324.11 (a) of the Schedule of Effective Minimum Prices apply to additional mine index No. 2264 hereinabove noted.

Prices as shown for mine index No. 11 in § 324.11 (e) of the Schedule of Effective Minimum Prices apply to additional mine index No. 1966 hereinabove noted.

§ 324.24 General prices in cents per net ton for shipment into all market areas—
Supplement T—Continued

Code member index	Mine	Mine index No.	Beam	Base sizes										
				6" Lump	3'-4'-6" lump	2' lump	2' x 4' egg	2' x 6' egg	1 1/2' x 4' egg	Mine run, nut and pea	2' x 0 slack	4' x 0 slack		
				1	2	3	4	5	6	7	8			
SUB-DISTRICT No. 6—CROOKSVILLE														
MUSKINGUM COUNTY														
Fracker Brothers (Frank W. Fracker)	Fracker Bros.	2887	6	280	270	260	235	230	195	165				
Fracker & Son, John S. (John S. Fracker)	Fracker	2888	7	280	270	260	235	230	195	165				
FERRY COUNTY														
Goodin, R. E. (Buckeye Coal Co.)	Springdale	2892	6	280	270	260	235	230	195	165				
Wilson	Wilson	2890	5	280	270	260	235	230	195	165				
SUB-DISTRICT No. 7—JACKSON														
JACKSON COUNTY														
Bush, Ed.	Bush	2882	5	295	285	275	250	245	195	175	165			
SUB-DISTRICT No. 8—POMEROY														
MEigs COUNTY														
Seyfried Coal Company (Charles Leifheit)	Seyfried Coal Co.	2891	8	295	285	275	250	245	195	140	140			

Prices listed herein apply only to coal produced at the mine located at or near Aultman, Ohio, and the tipple located at or near Uniontown, Ohio.

[F. R. Doc. 41-55890; Filed, July 31, 1941; 10:10 a. m.]

[Docket No. A-909]

PART 329—MINIMUM PRICE SCHEDULE.
DISTRICT NO. 9

ORDER GRANTING TEMPORARY RELIEF AND CONDITIONALLY PROVIDING FOR FINAL RELIEF IN THE MATTER OF THE PETITION OF DISTRICT BOARD 9 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR COALS OF CERTAIN MINES IN DISTRICT NO. 9

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment of price classifications and minimum prices for the coals of certain mines in District No. 9; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and
No petitions of intervention having been filed with this Division in the above-entitled matter; and
The following action being deemed necessary in order to effectuate the purposes of the Act:

It is ordered, That, pending final disposition of the petition in the above-entitled matter, temporary relief be, and it hereby is, granted as follows: Commencing forthwith, \$329.24 (General prices in cents per net ton for shipment into any market area) is amended by adding thereto the supplement hereinafter set forth and hereby made a part hereof.

§ 324.11 Special prices—(a) Railroad fuel prices for all movements exclusive of lake cargo railroad fuel—Supplement R-V—Continued

RAILROAD FUEL PRICES FOR ALL MOVEMENTS EXCLUSIVE OF LAKE CARGO RAILROAD FUEL FROM MINES INDEXED BELOW—Continued

Name of railroad	Mine index Nos.	Additional mine index Nos.
Akron, Canton & Youngstown Railway Co.		
Ann Arbor Railroad Co.		
Canadian National Railway and Grand Trunk Railway System.		
Detroit and Mackinac Railway Company.		
From mine index Nos. 3, 5, 7, 8, 12, 13, 15, 23, 35, 37, 45, 48, 68, 77, 92, 97, 108, 110, 119, 133, 153, 159, 161, 166.		Add mine index Nos. 1628, 2264, 2883, 2897.
From mine index Nos. 3, 5, 7, 8, 12, 13, 15, 23, 35, 37, 45, 48, 68, 77, 92, 97, 108, 110, 119, 133, 153, 159, 161, 166.		Add mine index Nos. 1628, 2264, 2883, 2897.
For all railroads not shown above.		

Prices as shown in § 324.11 (a) of the Schedule of Effective Minimum Prices apply to all additional mine numbers hereinabove noted.

FOR TRUCK SHIPMENTS

§ 324.24 General prices in cents per net ton for shipment into all market areas—
Supplement T

[Prices in cents per net ton for shipments into all market areas]

Code member index	Mine	Mine Index No.	Beam	Base sizes							
				0' Lump	3'-4'-5" Lump	2' Lump	2' x 4' egg	2' x 6' egg	1 1/2' x 4' egg	Line run, nut and pin	2' x 0 slack
SONDISTRICT NO. 4—MIDDLE											
CARROLL COUNTY											
Magnolia Mining Company, The..	Magnolia.....	2884	5, 6	275	265	250	235	230	220	190	180
COLUMBIANA COUNTY											
Burnwell Coal Company (Norman A. Page).	Burnwell.....	2900	3	300	290	275	250	245	235	205	195
COSEHOCTON COUNTY											
Alumbaugh & Slicker Coal Mining Co., Ltd. (G. S. Slicker).	Alumbaugh & Slicker Coal Mining Co., Ltd.	2883	6	280	270	260	235	230	185	165	155
Buckeye Coal Company (Russell E. Jennings).	Buckeye Coal Co.	2893	6	280	270	260	235	230	195	165	155
Miller & Stipes.....	Miller & Stipes.....	2898	6	280	270	260	235	230	195	165	155
STARKE COUNTY											
Billman, Leonard E.....	Indian Lodge #21.....	2896	4	275	265	250	235	235	210	190	180
TUSCARAWAS COUNTY											
Bruno, Ernest.....	Bruno.....	2897	5, 6	275	265	250	235	235	210	190	180
Dornberger, A. (Riverside Coal Co.).	Dornberger.....	2885	6	275	265	250	235	235	220	190	180
Riggs Coal Company (B. V. Riggs).	Nigger Basin.....	2899	6	275	265	250	235	235	220	190	180
Thibault, Louis.....	Pleasant Valley.....	3000	6	275	265	250	235	235	220	190	180

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter, and applications to stay, terminate, or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings

Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated July 17, 1941.

[SEAL]

DAN H. WHEELER,
Acting Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT No. 9

NOTE: The material contained in this "Supplement" is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 329, Minimum Price Schedule for District No. 9 and Supplements thereto.

FOR TRUCK SHIPMENTS

§ 329.24 General prices in cents per net ton for shipment into any market area

[Prices in Cents per Net Ton for Shipment Into All Market Areas]

Code member index	Mine index No.	Mine	Seam	Prices and size group Nos.																	
				1, 2	3	4	5	6	7	8	9	10, 11, 12	13, 14	15	17	18, 19, 20	21, 22	23, 24	25	26, 27	28, 29
BUTLER COUNTY																					
Cardwell, Ray.....	902	Hawker.....	Stray.....	235	225	215	175	170	160	160	150	140	110	50						120	115
DAVISS COUNTY																					
Abell, Delbert.....	896	Abell.....	#9.....	205	195	185	175	170	160	160	150	140	110	50						120	115
Wood Bros. Coal Co. (Oliver & Sydney Wood).	909		#9.....	205	195	185	175	170	160	160	150	140	110	50						120	115
EDMONSON COUNTY																					
Carroll, Acie.....	897	Acie Carroll.....		200	200	200	200	175	160	150	140	110	50							120	115
HANCOCK COUNTY																					
Campbell, Cecil.....	905	Campbell.....	Stray.....	205	195	185	175	170	160	160	150	140	110	50						120	115
Flake, Clarence.....	906	Flake.....	Stray.....	205	195	185	175	170	160	160	150	140	110	50						120	115
HOPKINS COUNTY																					
Gentry, Claude (Gentry Coal Co.)	900	Gentry #2.....	#6.....	230	220	210	200	195	185	185	180	175	160	100						170	165
Fox, Fred H.....	895	Clayton.....	#9.....	205	195	185	175	170	160	160	150	140	110	50						120	115
Tapp, Robert.....	907	Tapp.....	#11.....	205	195	185	175	170	160	160	150	140	110	50						120	115
M'LEAN COUNTY																					
Edmonds, Martin.....	898	Edmonds.....	#9.....	205	195	185	175	170	160	160	150	140	110	50						120	115
MUHLENBERG COUNTY																					
Bobbitt & Gamblin (J. A. Bobbitt).	903	Dovey.....	#11.....	205	195	185	175	170	160	160	150	140	110	50						120	115
Turner & Coleman (Glen Turner).	899	Earle.....	#9.....	205	195	185	175	170	160	160	150	140	110	50						120	115
Vincent & Vincent (Jim R. Vincent).	901	New Cypress.....	#9.....	205	195	185	175	170	160	160	150	140	110	50						120	115
OHIO COUNTY																					
Baize, Carmon.....	893	Nolan Baize...	#11.....	205	195	185	175	170	160	160	150	140	110	50						120	115

[F. R. Doc. 41-5581; Filed, July 31, 1941; 10:10 a. m.]

TITLE 32—NATIONAL DEFENSE CHAPTER VI—SELECTIVE SERVICE SYSTEM

AUTHORIZING THE STATE DIRECTOR OF SELECTIVE SERVICE OF INDIANA TO ORDER ADDITIONAL OR ALTERNATIVE PHYSICAL EXAMINATIONS

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations pre-

scribed by the President thereunder, and more particularly the provisions of Section XLVIII¹ of the Selective Service Regulations, I hereby authorize the State Director of Selective Service of Indiana to direct any local board in the State of Indiana to order registrants to appear for and submit to a physical examination by an Examining Board of the armed forces, either in addition to or in lieu of

¹ 6 F.R. 2392.

the physical examination provided for in Volume Three,² "Classification and Section."

In proceeding under this authorization, the State Director of Selective Service of Indiana will be guided by the provisions of Section XLVIII of the Selective Service Regulations. The right of all registrants to an appeal shall be preserved and no registrants shall be ordered to report for induction on less than 10 days' notice as provided in Paragraph 415³ of the Selective Service Regulations.

The State Director of Selective Service of Indiana shall submit to the Director of Selective Service copies of plans, forms, and directives prescribed for use by him in carrying out this authorization.

LEWIS B. HERSHEY,
Deputy Director.

JULY 29, 1941.

[F. R. Doc. 41-5607, Filed July 31, 1941; 3:47 p. m.]

[Amendment No. 2 to Camp Regulations⁴] AMENDING THE REGULATIONS SO AS TO PROVIDE FOR ISSUANCE OF TRANSPORTATION, AND MEAL OR LODGING REQUESTS

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder, and more particularly the provisions of Executive Order No. 8675⁵ of February 6, 1941, I hereby amend, effective immediately upon the filing hereof with the Division of the Federal Register, Paragraph 21, Camp Regulations, by adding the following:

§ 21.1 *Issuance of Transportation, and Meal or Lodging Requests.* a. Books of Meal or Lodging Requests (Form DSS 256) and Books of Transportation Requests (Forms 1028-31) shall be supplied to the National Service Board for Religious Objectors by the Director of Selective Service for issuance to Camp Directors. Upon receipt of an order of transfer or release, the Camp Director shall issue the assignee Requests to provide for necessary meals, lodgings, and transportation between camp and point of destination.

b. The value of meals or lodgings shall not exceed the following amounts:

Breakfast.....	\$0.50
Lunch.....	.50
Dinner.....	.75
Lodging, per day.....	1.50

c. When a Meal or Lodging Request is issued, the memorandum copy shall be completed and forwarded to the Director of Selective Service, Washington, D. C. The stub, with the pertinent information thereon, shall be retained in the book.

d. When a Transportation Request is issued, the memorandum copy shall be

² 5 F.R. 3923.

³ 4 F.R. 2054.

⁴ 6 F.R. 2001, 3645.

⁵ 6 F.R. 831.

mailed at the close of the day on which issued to the Finance Officer, United States Army, Transportation Division, Washington, D. C. The Camp Director shall procure the estimated cost of transportation from the local carrier's agent and enter it on the memorandum copy. Pertinent information shall be entered on the Tabulation Sheet (Form 1029) at the time the Request is issued.

e. In the preparation of Requests, the typewriter shall be used where practicable; otherwise, ink or indelible pencil. The use of ordinary lead pencil is prohibited.

f. No erasures or alterations of any kind shall be made. If an error is detected or a Request is erroneously made out, the Request and memorandum copy shall both be marked "Canceled" and forwarded to the Director of Selective Service, Washington, D. C.

g. When all Requests in a book have been used, the book shall be forwarded to the National Service Board for Religious Objectors, who, after crediting the Camp Director, shall forward the book to the Director of Selective Service, Washington, D. C.

h. Unused Requests are in the nature of checks. Unused books should be kept under lock and key and care taken that the books or the Requests do not fall into the hands of unauthorized persons. The books shall be receipted for and accounted for separately from other supplies. Should Requests get into the hands of unauthorized persons through loss or theft and services be procured thereon, the carrier or supplier of services is entitled to payment, and it shall be incumbent upon the Camp Director charged with the care of the Requests, or the assignee to whom the Request has been issued, to take every precaution to prevent such loss or theft.

i. When Requests or books of Requests are lost or stolen, the Camp Director, or the assignee to whom the Request has been issued, shall immediately notify the Director of Selective Service, Washington, D. C., giving the serial numbers of the Requests. The Camp Director, or assignee to whom the Request has been issued, shall give the same information to local carriers' agents or concerns who might be offered the lost or stolen Requests in procurement of transportation, meals, or lodgings. If a lost or stolen Request is later recovered, it shall not be used, but shall be canceled and forwarded to the Director of Selective Service, Washington, D. C.

LEWIS B. HERSHEY,
Deputy Director.

JULY 30, 1941.

[F. R. Doc. 41-5638; Filed, August 1, 1941; 11:54 a. m.]

[No. 19]

ORDER PRESCRIBING FORMS

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and

the authority vested in me by the rules and regulations prescribed by the President thereunder, and more particularly the provisions of Paragraph 163 and Appendix A to Volume One¹ of the Selective Service Regulations, I hereby prescribe the following changes in DSS forms:

1. Revision of DSS Form 260, effective immediately upon the filing hereof with the Division of the Federal Register. Upon the receipt of DSS Form 260 (Revised 7/1/41) all copies of the original DSS Form 260 will be destroyed and its use discontinued.

2. Revision of DSS Form 260-A, effective immediately upon the filing hereof with the Division of the Federal Register. Upon the receipt of DSS Form 260-A (Revised 7/1/41) all copies of the original DSS Form 260-A will be destroyed and its use discontinued.

3. Revision of DSS Form 260-B, effective immediately upon the filing hereof with the Division of the Federal Register. Upon the receipt of DSS Form 260-B (Revised 7/1/41) all copies of the original DSS Form 260-B will be destroyed and its use discontinued.

4. Revision of DSS Form 260-C, effective immediately upon the filing hereof with the Division of the Federal Register. Upon the receipt of DSS Form 260-C (Revised 7/1/41) all copies of the original DSS Form 260-C will be destroyed and its use discontinued.

5. Addition of a new form designated as DSS Form 260-AA, effective immediately upon the filing hereof with the Division of the Federal Register.

6. Addition of a new form designated as DSS Form 260-D, effective immediately upon the filing hereof with the Division of the Federal Register.

7. Addition of a new form designated as DSS Form 260-E, effective immediately upon the filing hereof with the Division of the Federal Register.

The foregoing revisions and additions shall, effective immediately upon the filing hereof with the Division of the Federal Register, become a part of Appendix A to Volume One, Selective Service Regulations.

LEWIS B. HERSHEY,
Deputy Director.

JULY 31, 1941.

[F. R. Doc. 41-5639; Filed, August 1, 1941; 11:55 a. m.]

[No. 20]

ORDER PRESCRIBING FORMS

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of Paragraph 163 and Appendix A to Volume One¹ of the Selective

¹ 5 F.R. 3779.

Service Regulations, I hereby prescribe the following change in a DSS form:

Revision of DSS Form 279, effective fifteen (15) days after the filing hereof with the Division of the Federal Register. Upon receipt of the revised DSS Form 279 the use of the original DSS Form 279 will be discontinued and all unused copies thereof will be destroyed.

The foregoing revision and discontinuance shall, effective fifteen (15) days after the filing hereof with the Division of the Federal Register, become a part of Appendix A to Volume One, Selective Service Regulations.

LEWIS B. HERSHEY,
Deputy Director.

JULY 30, 1941.

[F. R. Doc. 41-5637; Filed, August 1, 1941; 11:54 a. m.]

CHAPTER IX—OFFICE OF PRODUCTION MANAGEMENT

SUBCHAPTER B—PRIORITIES DIVISION

[Preference Rating Order No. P-18]

PART 954—MATERIALS FOR THE PRODUCTION OF CUTTING TOOLS SPECIFIED HEREIN

§ 954.1 *Preference rating order.* For the purpose of facilitating the acquisition of Material for the production of Defense Products, a preference rating is hereby assigned to deliveries to the above-named Producer and to deliveries to his Suppliers, upon the following terms:

(a) *Definitions.* (1) "Producer" means the specific person to whom this Order is addressed above.

(2) "Defense Products" means the following items to be produced by the Producer: Drills of all types and sizes; reamers; countersinks; counterbores; milling cutters of all sizes and types; hobs of all sizes and types; taps; high speed chasers for self-opening die heads; high speed chasers for collapsing taps; machine broaches; and cemented carbide cutting tools of all types.

(3) "Supplier" means any person with whom a contract or purchase order has been placed for delivery, to the Producer or to another Supplier, of Material which will enter directly or indirectly, at any stage, into the production of the Defense Products.

(4) "Material" means any item set forth in Exhibit A annexed hereto and made a part hereof.

(b) *Assignment of preference rating.* Preference Rating A-1-a is hereby assigned to deliveries of Material which will enter directly or indirectly, at any stage, into the production by the Producer of the Defense Products.

(c) *Persons entitled to apply preference rating.* The preference rating hereby assigned may be applied by:

(1) The Producer;

(2) Any Supplier who has been furnished with a signed copy of this Order in the manner specified in paragraph (d).

(d) *Application of preference rating.* The Producer, or any Supplier who has been so furnished with a signed copy of this Order, to apply the preference rating to deliveries to him must:

(1) Execute a copy of this Order by signing the acceptance at the end hereof, and file such signed copy with the Division of Priorities of the Office of Production Management; and

(2) Furnish one additional copy of this Order, signed by him in the same manner, to each of his Suppliers with whom he has placed a contract or purchase order for Material to the delivery of which he elects to apply the preference rating. After he has furnished one such copy to a particular Supplier, he need furnish no additional copy to that Supplier to cover any subsequent deliveries of Material entering into the production of the Defense Products. The Producer or Supplier who has applied the rating shall identify subsequent purchase orders which are covered by the rating by specifying thereon the number and serial number of this Order and the preference rating hereby assigned.

(e) *Restrictions on application of rating.* The preference rating hereby assigned shall not be applied:

(1) unless the Material to be delivered cannot be secured when required without such rating;

(2) to obtain deliveries greater in quantity, or on dates earlier, than required for the delivery on schedule of the Defense Products or of Material entering into the Defense Products.

(f) *Records and Reports.* (1) The Producer, and each Supplier who applies the preference rating hereby assigned, shall keep and preserve for a period of at least two years accurate and complete records and information concerning:

(i) All applications of such preference rating, including the kinds, values, quantities and delivery dates of Material covered by each such application, together with the name and address of each Supplier to whose deliveries of Material the rating has been applied.

(ii) Inventories and stocks on hand of Material of the kind covered by each application of the rating.

(iii) Contracts and purchase orders on his books, including delivery schedules, for the Defense Products or for Material which will enter directly or indirectly at any stage into the production of the Defense Products.

(2) The Producer, and each Supplier who applies the preference rating, shall file reports containing such information concerning the matters specified in paragraph (f) (1) and concerning any other pertinent matters, with the Division of Priorities, Office of Production Management, as shall from time to time be required by said Division. Until further order, such information shall be furnished to the Division of Priorities by the Pro-

ducer and by each such Supplier, to the extent, in the form, and at the time specified in Form PD-6 Revised.¹

(3) The Producer, and each Supplier who applies the preference rating, shall submit from time to time to an audit and inspection by representatives of the Division of Priorities concerning the matters specified in paragraph (f) (1).

(g) *Use of higher preference ratings.* If any delivery entitled to be rated under this Order is assigned a higher preference rating by an individual preference rating certificate or by any other Order issued by the Director of Priorities, the Producer or Supplier may use the higher rating instead of the rating assigned by this Order.

(h) *False statements.* Any person who wilfully falsifies records to be kept or information to be furnished pursuant to this Order may be prohibited by the Director of Priorities from receiving further deliveries of any Material subject to allocation by the Director of Priorities, and the Director of Priorities may also take any other action deemed appropriate, including a recommendation for prosecution under section 35 of the Criminal Code (18 U. S. C. 80).

(i) *Revocation or modification.* This Order may be revoked or amended by the Director of Priorities at any time as to the Producer or any Supplier. In the event of revocation, or upon expiration of this Order, deliveries already rated pursuant to this Order shall be completed in accordance with said rating, unless the rating has been specifically revoked with respect thereto. No additional applications of the rating to any other deliveries shall thereafter be made by the Producer or Supplier affected by such revocation or expiration.

(j) *Effective date.* This Order shall take effect on the 31st day of July 1941, and, unless sooner revoked, shall expire on the 31st day of October 1941. (O.P.M. Reg. 3, March 7, 1941, 6 F.R. 1596; E.O. 8629, January 7, 1941, 6 F.R. 191; sec. 2 (a), Public No. 671, 76th Congress; sec. 9, Public No. 783, 76th Congress.)

Issued this 31 day of July 1941.

E. R. STETTINIUS, Jr.,
Director of Priorities.

EXHIBIT A TO PREFERENCE RATING ORDER No. P-18

High speed steel, carbon tool steel and alloy steel bars, sheets, rods, shapes, forgings and castings.
Cutting tools, including cemented carbides. Abrasives.
Measuring instruments and gages.
Maintenance and shop supplies (restricted to items necessary for proper operation and maintenance of manufacturing equipment and facilities).

ACCEPTANCE

To Be Signed by an Authorized Official of the Producer or Supplier Before Applying the Rating Assigned by the Foregoing Order.
(Before signing this Acceptance read carefully sections (c), (d) and (e) of the foregoing Order.)

¹ Filed as part of the original document.

The Producer or Supplier named below hereby accepts the foregoing Order and certifies to the Director of Priorities of the Office of Production Management that he is entitled to apply the preference rating assigned by the foregoing Order in accordance with its terms.

Dated this _____ day of _____, 1941.

Legal name of producer or supplier

By _____

Name and title of authorized individual

(Section 35 of the Criminal Code, 18 U.S.C. 80, makes it a criminal offense to make a false statement or representation to any Department or Agency of the United States as to any matter within its jurisdiction.)

Additional copies of this Order may be secured from the Division of Priorities, Office of Production Management, Washington, D. C., or photostatic copies may be made and used by persons entitled to apply the preference rating.

(Instructions to Form PD-6 Revised)

Pursuant to the provisions of paragraph (f) of this Order, the Producer, and any Supplier, who has applied the preference rating assigned herein, shall, on or before the 15th day of each month, file a report with the Division of Priorities of the Office of Production Management on Form PD-6 Revised,² hereto attached, accompanied by the certification of an authorized official of the Producer or Supplier furnishing the same, as provided thereon.

Instead of filing Form PD-6 Revised, the Producer, or any such Supplier, may send to the Division of Priorities, Office of Production Management, on or before the 15th day of each month, copies of all purchase orders for deliveries to which he has applied said preference rating in the preceding month. Such purchase orders shall contain the following information: vendor's name, description, unit quantities, dollar value of the Material ordered, and the delivery dates or the delivery schedule thereof. The purchase orders must be accompanied by the certification of an authorized official of the Producer or Supplier furnishing the same, in the form set forth in Form PD-6 Revised, hereto attached.

The report or purchase orders should be mailed to Tools & Equipment Section, Division of Priorities, Office of Production Management, Social Security Building, Washington, D. C.

[F. R. Doc. 41-5613; Filed, August 1, 1941; 9:56 a. m.]

CHAPTER XI—OFFICE OF PRICE ADMINISTRATION AND CIVILIAN SUPPLY

PART 1307—RAW MATERIALS FOR COTTON TEXTILES

AMENDMENT TO PRICE SCHEDULE NO. 7— COMBED COTTON YARNS

Part 1307, Price Schedule No. 7, issued May 23, 1941,² is hereby amended, as of July 21, 1941, in the following respects:

² 6 F.R. 2561.

Section 1307.7, Appendix A, prices per pound for combed peeler yarns, is hereby amended by striking the text thereof and substituting in its place the following:

§ 1307.7 Appendix A, prices per pound for combed peeler yarns:²

	Single	2-Ply
10s.....	\$0.385	\$0.425
12s.....	.39	.43
14s.....	.395	.435
16s.....	.40	.44
18s.....	.405	.445
20s.....	.41	.45
24s.....	.42	.46
26s.....	.43	.47
30s.....	.45	.49
36s.....	.48	.53
38s.....	.49	.54
40s.....	.50	.55
50s.....	.58	.63
60s.....	.67	.72
70s.....	.77	.82
80s.....	.87	.92
86s.....	1.00	1.12
90s.....	1.08	1.20
100s.....	1.28	1.42
110s.....		1.64
120s.....		1.88

Issued this 1st day of August 1941.

LEON HENDERSON,
Administrator.

[F. R. Doc. 41-5636; Filed, August 1, 1941;
11:53 a. m.]

PART 1312—LUMBER AND LUMBER PRODUCTS

PRICE SCHEDULE NO. 13—DOUGLAS FIR PEELER LOGS AND DOUGLAS FIR PLYWOOD

Douglas Fir plywood, made primarily from Douglas fir peeler logs, is widely used as a building material, as a form for concrete shapes, as lining for the inside of freight cars and trucks, and as a display material. In the defense program, it has been extensively employed in the construction industry, and in the production of aircraft, pontoon bridges, and small boats. The recent increased use of plywood stemming from the defense program and the accompanying expanded economic activity has so increased demand for plywood and peeler logs that current requirements considerably exceed the existing capacity of the industry. As a consequence, inflationary pressure has been exerted upon the prices of these products, causing them to rise greatly in excess of previously existing levels in the industry. Such price increases have markedly outstripped cost advances. Certain members of the plywood industry have refused to cooperate voluntarily with the Office of Price Administration and Civilian Supply in maintaining stable prices, and these producers who have

² This Schedule applies only to combed cotton yarns of ordinary commercial quality. For yarns with excess twist, reverse twist, three or more ply, high break, or requiring the use of extra length American cotton, Pima cotton, Egyptian cotton, or Sea Island cotton, a premium over the above prices may be charged to cover the additional cost involved in manufacturing these special qualities.

cooperated by withdrawing price increases have therefore been subjected to unjust discrimination.

Accordingly, on the basis of information secured by this Office, and under the authority vested in me by Executive Order No. 8734, it is hereby directed that:

§ 1312.1 *Definitions.* When used in this Schedule:

(a) The term "person" means an individual, corporation association, partnership, or other business entity.

(b) The term "manufacturer" means a person operating a mill which processes Douglas fir peeler logs into Douglas fir plywood.

(c) The term "less than carload" means a quantity of one or more grades or sizes of Douglas fir plywood, the aggregate weight of which is less than 38,000 pounds. Either Douglas fir doors, or Douglas fir millwork, or both, may be included with plywood in computing such aggregate weight.

(d) The term "Douglas fir peeler log" means a Douglas fir log suitable for the manufacture by rotary cutting of Douglas fir plywood.*

*§§ 1312.1 to 1312.10, inclusive, issued pursuant to the authority contained in Executive Order No. 8734.

§ 1312.2 *Maximum prices established for Douglas fir peeler logs.* On and after August 5, 1941, regardless of the terms of any contract of sale or purchase or other commitment, no sale or delivery, or offer of sale or delivery, of Douglas fir peeler logs, shall be made to a manufacturer of Douglas fir plywood at a price in excess of that received by the seller for a sale or delivery on May 1, 1941, of Douglas fir peeler logs of the same grade and quality, and to the same purchaser. In the event that no sale or delivery of the same grade and quality was made by such seller to such purchaser on May 1, 1941, the maximum price shall be the price received by the seller for the latest sale or delivery to the purchaser of the same grade and quality made prior to May 1, 1941. In the event that no sale or delivery of the same grade and quality was previously made by such seller to such purchaser, the maximum price shall be determined by the price received for the most similar sale of the same grade and quality on or before May 1, 1941.*

§ 1312.3 *Maximum prices established for sales of Douglas fir plywood by manufacturers.* On and after August 5, 1941, regardless of the terms of any contract of sale or purchase or other commitment, no manufacturer (or commission salesman, manufacturer's representative, or other manufacturer's agent) shall sell or deliver, or offer to sell or deliver, any Douglas fir plywood to any purchaser, for delivery at the manufacturer's mill to such purchaser or to a carrier consigned to such purchaser, at a price in excess of the maximum prices set forth in § 1312.10 hereof.*

§ 1312.4 *Less than maximum prices.* A lower price than the maximum price may be charged, demanded, offered, or paid.*

§ 1312.5 *Evasions.* The price limitations set forth in this Price Schedule shall not be evaded by charges for credit terms, charges for prompt or early delivery, charges for delivery which exceeds the actual cost of such delivery, or by other direct or indirect methods, nor shall discounts, or other terms and conditions of sale, be made more onerous to the purchaser than those available or in effect on August 1, 1941. The seller shall in all cases give the purchaser the option whether the latter shall make his own transportation arrangements.*

§ 1312.6 *Records.* Every manufacturer of Douglas fir plywood who, during any calendar month, shall sell one carload or more of plywood, or who shall purchase any Douglas fir peeler logs, shall keep for inspection by the Office of Price Administration and Civilian Supply, and preserve for a period of not less than one year, a complete and accurate record of every sale of plywood, and of every purchase of peeler logs, made during such month, including the names of buyers and sellers, the dates of the purchases or sales, the prices, and the quantities and grades of the plywood so purchased or sold, and of the peeler logs so purchased.*

§ 1312.7 *Enforcement.* In the event of refusal or failure to abide by the price limitations and other provisions contained in this Schedule, or in the event of any evasion or attempt to evade the price limitations or other provisions contained in this Schedule, the Office of Price Administration and Civilian Supply will make every effort to assure (a) that the Congress and the public are fully informed of any failure to abide by the provisions of this Schedule, and (b) that the powers of the Government are fully exerted in order to protect the public interest and the interests of those persons who conform with this Schedule in the observance of the maximum prices and other provisions herein set forth. Persons who have evidence of the demand or receipt of prices above the limitations set forth, or any evasion or efforts to evade such requirements, or of speculation, or manipulation of prices of Douglas fir peeler logs or of Douglas fir plywood, for which maximum prices are herein established, or of the hoarding or accumulation of unnecessary inventories thereof, are urged to communicate with the Office of Price Administration and Civilian Supply.*

§ 1312.8 *Modification.* This Schedule is issued upon the basis of presently existing conditions and is subject to adjustment or revision. Persons complaining of hardship or inequity in the operation of this Schedule may apply to the Office of Price Administration and Civilian Supply for approval of any proposed modification thereof or exception thereto.*

§ 1312.9 When schedule becomes effective. This Schedule shall become effective August 5, 1941.*

§ 1312.10 Maximum prices for Douglas fir plywood. (a) The maximum prices for standard grades¹ moisture-resistant type Douglas fir plywood shall be as follows:

	Price per M sq. ft. f. o. b. mill	
	C/L	LC/L
PLYSCORD—ALL SIZES UP TO 48" x 96" [Douglas Fir Plywood Sheathing]		
5/8" 3 Ply, Rough.....	\$25.30	\$26.40
5/8" 3 Ply, Rough.....	30.30	31.75
5/8" 3 or 5 ply, at mill's option, Rgh.....	40.45	43.00
5/8" 3 or 5 ply, at mill's option, Rgh.....	50.55	53.95

PLYWALL—ALL SIZES UP TO 48" x 96" (Douglas Fir Plywood Wallboard)		
5/8" 3 Ply S2S to 1/4"	\$28.00	\$29.20
5/8" 3 Ply S2S to 1/4"	38.50	40.00
5/8" 5 Ply S2S to 1/4"	52.50	56.15
1/4" Studding Strips (Per M Lineal Ft.)	5.30	5.30

PLYFORM—ALL SIZES UP TO 48" x 96" (Concrete Form Panels)		
5/8" 3 Ply S2S to 1/4" (Form Liners)	\$45.00	\$48.00
5/8" 5 Ply S2S to 1/4"	77.10	84.15
5/8" 5 Ply S2S to 1/4"	82.40	90.00
5/8" 5 Ply S2S to 1/4"	86.50	94.15
5/8" 5 Ply S2S to 1/4"	91.75	99.95
5/8" 5 Ply S2S to 1/4"	95.30	104.05

AUTOMOBILE AND INDUSTRIAL PLYWOOD (Rough panels only)		
1/4" Rough, 3 Ply—sizes up to 48" x 96"	\$29.20	\$31.95
5/8" Rough, 3 Ply—sizes up to 48" x 96"	29.20	31.95
5/8" Rough, 3 Ply—sizes up to 48" x 96"	35.00	38.50
5/8" Rough, 5 Ply—sizes up to 48" x 96"	48.80	53.40
5/8" Rough, 5 Ply—sizes up to 48" x 96"	53.75	58.90
5/8" Rough, 5 Ply—sizes up to 48" x 96"	58.75	64.35
5/8" Rough, 5 Ply—sizes up to 48" x 96"	63.70	69.80
5/8" Rough, 5 Ply—sizes up to 48" x 96"	68.65	75.20
5/8" Rough, 5 Ply—sizes up to 48" x 96"	73.60	80.05
5/8" Rough, 7 Ply—sizes up to 48" x 96"	82.30	90.10

PLYPANEL (SOUND 2 SIDES)		
5/8" 3 Ply, S2S to 1/4", or 1/4" 3 Ply, S2S to 1/4"	\$35.65	\$38.85
24" and under	36.65	39.80
Over 24" to 36"	38.50	41.85
Over 36" to 48"	32.15	35.35
5/8" 3 Ply, S2S to 1/4"	33.15	36.30
Over 24" to 36"	33.00	38.35
Over 36" to 48"	38.70	42.35
5/8" 3 Ply, S2S to 1/4"	39.55	43.35
Over 24" to 36"	41.45	45.30
Over 36" to 48"	43.25	47.45
5/8" 3 Ply, S2S to 1/4"	44.20	48.45
Over 24" to 36"	46.05	50.45
Over 36" to 48"	58.95	64.55
5/8" 5 Ply, S2S to 1/4"	59.85	65.50
Over 24" to 36"	61.70	67.60
Over 36" to 48"	58.95	64.55
5/8" 5 Ply, S2S to 1/4"	59.85	65.50
Over 24" to 36"	61.70	67.60
Over 36" to 48"	58.95	64.55

¹ Grades shall be in accord with the standards of the United States Department of Commerce, National Bureau of Standards, as contained in Commercial Standard OS45-40 (Douglas Fir Plywood, Domestic Grades), Fourth Edition, effective August 20, 1940.

	Price per M sq. ft. f. o. b. mill	
	C/L	LC/L
PLYPANEL (SOUND 2 SIDES)—Continued		
5/8" 5 Ply, S2S to 1/4"	\$69.95	\$76.65
24" and under	70.90	77.65
Over 24" to 36"	72.70	79.65
Over 36" to 48"	69.95	76.65
5/8" 5 Ply, S2S to 1/4"	70.90	77.65
Over 24" to 36"	72.70	79.65
Over 36" to 48"	79.25	86.75
5/8" 5 Ply, S2S to 1/4"	80.10	87.70
Over 24" to 36"	81.90	89.75
Over 36" to 48"	79.25	86.75
5/8" 5 Ply, S2S to 1/4"	80.10	87.70
Over 24" to 36"	81.90	89.75
Over 36" to 48"	88.35	96.80
5/8" 5 Ply, S2S to 1/4"	89.39	97.75
Over 24" to 36"	91.10	99.85
Over 36" to 48"	94.75	103.85
5/8" 7 Ply, S2S to 1/4"	95.70	104.85
Over 24" to 36"	97.55	106.90
Over 36" to 48"	94.75	103.85
5/8" 7 Ply, S2S to 1/4"	95.70	104.85
Over 24" to 36"	97.55	106.90
Over 36" to 48"	104.65	113.90
5/8" 7 Ply, S2S to 1/4"	104.95	114.95
Over 24" to 36"	106.75	116.90
Over 36" to 48"	117.80	129.05
5/8" 7 Ply, S2S to 1/4"	118.75	130.00
Over 24" to 36"	120.60	132.40
Over 36" to 48"		

PLYPANEL (GOOD 1 SIDE)		
5/8" 3 Ply, S2S to 1/4", or 1/4" 3 Ply, S2S to 1/4"	\$43.05	\$46.85
24" and under	45.85	49.95
Over 24" to 36"	49.55	53.95
Over 36" to 48"	39.55	43.35
5/8" 3 Ply, S2S to 1/4"	42.35	46.45
Over 24" to 36"	46.05	50.45
Over 36" to 48"	46.05	50.45
5/8" 3 Ply, S2S to 1/4"	48.80	53.40
Over 24" to 36"	52.45	57.45
Over 36" to 48"	50.60	55.45
5/8" 3 Ply, S2S to 1/4"	53.40	58.45
Over 24" to 36"	57.10	62.55
Over 36" to 48"	66.30	72.60
5/8" 5 Ply, S2S to 1/4"	69.05	75.65
Over 24" to 36"	72.70	79.65
Over 36" to 48"	66.30	72.60
5/8" 5 Ply, S2S to 1/4"	69.05	75.65
Over 24" to 36"	72.70	79.65
Over 36" to 48"	77.35	84.65
5/8" 5 Ply, S2S to 1/4"	80.10	87.70
Over 24" to 36"	83.75	91.75
Over 36" to 48"	77.35	84.65
5/8" 5 Ply, S2S to 1/4"	80.10	87.70
Over 24" to 36"	83.75	91.75
Over 36" to 48"	88.55	94.75
5/8" 5 Ply, S2S to 1/4"	89.30	97.75
Over 24" to 36"	92.95	101.80
Over 36" to 48"	86.55	94.75
5/8" 5 Ply, S2S to 1/4"	89.30	97.75
Over 24" to 36"	92.95	101.80
Over 36" to 48"	95.70	104.85
5/8" 5 Ply, S2S to 1/4"	98.45	107.85
Over 24" to 36"	102.15	111.95
Over 36" to 48"	102.15	111.95
5/8" 7 Ply, S2S to 1/4"	104.95	114.95
Over 24" to 36"	108.65	119.00
Over 36" to 48"	102.15	111.95
5/8" 7 Ply, S2S to 1/4"	104.95	114.95
Over 24" to 36"	108.65	119.00
Over 36" to 48"	111.40	121.95
5/8" 7 Ply, S2S to 1/4"	114.15	125.05
Over 24" to 36"	117.80	129.05
Over 36" to 48"	125.20	137.05
5/8" 7 Ply, S2S to 1/4"	127.95	140.15
Over 24" to 36"	131.60	144.15
Over 36" to 48"		

PLYPANEL (GOOD 2 SIDES)		
5/8" 3 ply, S2S to 1/4", or 1/4" 3 ply, S2S to 1/4"	\$50.45	\$54.95
24" and under	53.20	58.00
Over 24" to 36"	58.75	64.05
Over 36" to 48"	46.95	51.45
5/8" 3 ply, S2S to 1/4"	49.70	54.50
Over 24" to 36"	55.25	60.55
Over 36" to 48"	53.40	58.45
5/8" 3 ply, S2S to 1/4"	56.20	61.50
Over 24" to 36"	61.70	67.60
Over 36" to 48"	58.00	63.55
5/8" 3 ply, S2S to 1/4"	60.80	66.55
Over 24" to 36"	66.30	72.60
Over 36" to 48"	60.80	66.55
5/8" 3 ply, S2S to 1/4"	63.60	69.55
Over 24" to 36"	69.10	75.65
Over 36" to 48"	63.60	69.55
5/8" 3 ply, S2S to 1/4"	66.40	72.60
Over 24" to 36"	71.90	78.65
Over 36" to 48"	66.40	72.60
5/8" 3 ply, S2S to 1/4"	69.20	75.65
Over 24" to 36"	74.70	80.70
Over 36" to 48"	69.20	75.65
5/8" 3 ply, S2S to 1/4"	72.00	79.65
Over 24" to 36"	77.50	84.65
Over 36" to 48"	72.00	79.65
5/8" 3 ply, S2S to 1/4"	74.80	81.70
Over 24" to 36"	80.30	87.70
Over 36" to 48"	74.80	81.70
5/8" 3 ply, S2S to 1/4"	77.60	84.65
Over 24" to 36"	83.10	89.70
Over 36" to 48"	77.60	84.65
5/8" 3 ply, S2S to 1/4"	80.40	87.70
Over 24" to 36"	85.90	92.75
Over 36" to 48"	80.40	87.70
5/8" 3 ply, S2S to 1/4"	83.20	90.75
Over 24" to 36"	88.70	95.80
Over 36" to 48"	83.20	90.75
5/8" 3 ply, S2S to 1/4"	86.00	93.80
Over 24" to 36"	91.50	98.85
Over 36" to 48"	86.00	93.80
5/8" 3 ply, S2S to 1/4"	88.80	96.85
Over 24" to 36"	94.30	101.90
Over 36" to 48"	88.80	96.85
5/8" 3 ply, S2S to 1/4"	91.60	99.85
Over 24" to 36"	97.10	104.90
Over 36" to 48"	91.60	99.85
5/8" 3 ply, S2S to 1/4"	94.40	102.90
Over 24" to 36"	99.90	107.95
Over 36" to 48"	94.40	102.90
5/8" 3 ply, S2S to 1/4"	97.20	105.95
Over 24" to 36"	102.70	111.00
Over 36" to 48"	97.20	105.95
5/8" 3 ply, S2S to 1/4"	100.00	108.00
Over 24" to 36"	105.50	113.05
Over 36" to 48"	100.00	108.00
5/8" 3 ply, S2S to 1/4"	102.80	111.05
Over 24" to 36"	108.30	116.10
Over 36" to 48"	102.80	111.05
5/8" 3 ply, S2S to 1/4"	105.60	114.05
Over 24" to 36"	111.10	119.10
Over 36" to 48"	105.60	114.05
5/8" 3 ply, S2S to 1/4"	108.40	117.05
Over 24" to 36"	113.90	122.15
Over 36" to 48"	108.40	117.05
5/8" 3 ply, S2S to 1/4"	111.20	120.00
Over 24" to 36"	116.70	125.05
Over 36" to 48"	111.20	120.00
5/8" 3 ply, S2S to 1/4"	114.00	122.00
Over 24" to 36"	119.50	127.05
Over 36" to 48"	114.00	122.00
5/8" 3 ply, S2S to 1/4"	116.80	124.00
Over 24" to 36"	122.30	129.05
Over 36" to 48"	116.80	124.00
5/8" 3 ply, S2S to 1/4"	119.60	126.00
Over 24" to 36"	125.10	131.05
Over 36" to 48"	119.60	126.00
5/8" 3 ply, S2S to 1/4"	122.40	128.00
Over 24" to 36"	127.90	133.05
Over 36" to 48"	122.40	128.00
5/8" 3 ply, S2S to 1/4"	125.20	130.00
Over 24" to 36"	130.70	135.05
Over 36" to 48"	125.20	130.00
5/8" 3 ply, S2S to 1/4"	128.00	132.00
Over 24" to 36"	133.50	137.05
Over 36" to 48"	128.00	132.00
5/8" 3 ply, S2S to 1/4"	130.80	134.20
Over 24" to 36"	136.30	141.25
Over 36" to 48"	130.80	134.20

(b) The maximum prices of panels, exterior grades² of Douglas fir plywood shall be as follows:

	Per M sq. ft. in carload lots, f. o. b. mill		
	Sound 2 sides	Industrial grade	Sound 1 side
1/4" sanded			
5/8" unsanded	\$47.50	\$45.50	\$43.50
5/8" sanded			
1/4" unsanded			
5/8" sanded	48.50	46.50	44.50
5/8" unsanded			
1/4" sanded			
5/8" unsanded	55.00	53.00	51.00
5/8" sanded			
1/4" unsanded			
5/8" sanded	61.00	59.00	57.00
5/8" unsanded			
1/4" sanded			
5/8" unsanded	81.50	79.00	76.50
5/8" sanded			
1/4" unsanded			
5/8" sanded	88.00	86.00	84.00

² Grades shall be in accord with the standards of the United States Department of Commerce, National Bureau of Standards, as contained in Commercial Standard CS45-40 (Douglas Fir Plywood, Domestic Grades), Fourth Edition, effective August 20, 1940.

	Per M sq. ft. in carload lots, f. o. b. mill		
	Sound 2 sides	Indus- trial grade	Sound 1 side
3/4" sanded.....	95.00	93.50	91.50
5/8" unsanded.....	103.50	101.50	99.50
1 1/8" sanded.....	112.00	110.00	107.50
1 1/4" unsanded.....	121.00	119.00	117.00
1 1/2" sanded.....	143.00	140.50	138.50
1 3/4" unsanded.....	152.00	149.50	147.00
1 7/8" sanded.....	160.50	158.50	156.50
2" unsanded.....	170.50	168.00	166.00
1 1/2" sanded.....	180.00	178.00	176.00
1 3/4" unsanded.....	190.50	188.00	185.50

(c) Any "addition for special extras", as the term is customarily used in the Douglas fir plywood industry, shall not exceed the price charged therefor by the seller on March 1, 1941.*

Issued this first day of August 1941.

LEON HENDERSON,
Administrator.

[F. R. Doc. 41-5621; Filed, August 1, 1941;
11:31 a. m.]

TITLE 33—NAVIGATION AND NAVI- GABLE WATERS

CHAPTER II — CORPS OF ENGI- NEERS, WAR DEPARTMENT

PART 204—DANGER ZONE REGULATIONS¹

§ 204.89 *Waters of Gulf of Mexico, Apalachee Bay; Aerial gunnery range, 3rd Air Force.*

THE DANGER ZONE

(a) The area lies within the following longitudes and latitudes:

	Longitude	Latitude
Northeast corner.....	84°21'	29°54'
Southeast corner.....	84°12'	29°38'
Northwest corner.....	85°03'	29°35'
Southwest corner.....	84°53'	29°19'

THE REGULATIONS

(b) (1) The fact that aerial target practice is to take place over the designated area shall be advertised to the public through the usual media for the dissemination of information. Inasmuch as such practice is likely to be engaged in throughout the year without regard to season, such advertising of firing shall be repeated at frequent intervals which shall not exceed three months and which shall be more frequent when, in the opinion of the Commanding Officer responsible for the use of the range, such frequent repetition is necessary in the interests of public safety.

(2) Prior to the conducting of each target practice the area shall be patrolled by Army Aircraft to insure that no watercraft are within the dan-

gerous area and any such watercraft seen in the vicinity shall be warned by means of signals that target practice is about to take place. The patrol aircraft shall employ the method of warning known as "buzzing" which consists of low flight by the airplane and repeated opening and closing of the throttle.

(3) Any such watercraft shall, upon being so warned, immediately vacate the area designated and shall, until the conclusion of the practice, remain at such a distance that it will be safe from falling projectiles.

(4) The foregoing regulations shall not deny access to or egress from harbors contiguous to this danger area in the case of regular cargo-carrying vessels proceeding to or from such harbors. In case of the presence of any such vessel in the danger area, the officer in charge shall cause the cessation or postponement of fire until the vessel shall have cleared the part of the area in which it might be endangered by falling projectiles. The vessel shall proceed on its normal course and shall not delay its progress unnecessarily.

(5) These regulations will be enforced by the Commanding General, 3rd Air Force, Tampa, Florida, and such agencies as he may designate. (Sec. 7, River and Harbor Act Aug. 8, 1917; 40 Stat. 266; 33 U.S.C. 1) [Regs. July 25, 1941 (E.D. 7195 (Apalachee Bay, Fla.)—2/5)]

[SEAL]

E. S. ADAMS,
Major General,
The Adjutant General.

[F. R. Doc. 41-5612, Filed, August 1, 1941;
9:38 a. m.]

TITLE 47—TELECOMMUNICATION

CHAPTER I—FEDERAL COMMUNICA- TIONS COMMISSION

PART 8—RULES GOVERNING SHIP SERVICE

The Commission on July 10, 1941, effective immediately, made the following changes in its rules and regulations:

Modified § 8.87 to read as follows:

§ 8.87 *Foreign ships within territorial waters of the United States.* Except for the handling of emergency communications relating to the safety of life and property, the operation of any radio station, either radiotelegraph or radiotelephone, on board a foreign vessel (other than a foreign man-of-war) within the territorial waters of the United States is prohibited. (Sec. 4 (1), 48 Stat. 1068; 47 U.S.C. 154 (1))

Deleted § 8.88 *Reciprocal arrangements.*

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 41-5622; Filed, August 1, 1941;
11:32 a. m.]

¹ § 204.89 is added.

Notices

WAR DEPARTMENT.

[Contract No. W 535 ac-19005; 4809]

SUMMARY OF CONTRACT FOR SUPPLIES

CONTRACTOR: CHAMPION SPARK PLUG
COMPANY

Contract¹ for: * * * Spark Plugs and Data.

Amount: \$1,419,004.32.

Place: Matériel Division, Air Corps, U. S. Army, Wright Field, Dayton, Ohio.

The supplies and services to be obtained by this instrument are authorized by, are for the purpose set forth in, and are chargeable to the following Procurement Authorities, the available balances of which are sufficient to cover cost of same:

AC 28 P 82-3037 A 0705-01

AC 30 P 85-3059 A 0705-01

This contract, entered into this twenty-third day of May 1941.

Scope of this contract. The contractor shall furnish and deliver * * * Spark Plugs and Data for the consideration stated one million four hundred nineteen thousand four dollars and thirty-two cents (\$1,419,004.32) in strict accordance with the specifications, schedules and drawings, all of which are made a part hereof.

Changes. Where the supplies to be furnished are to be specially manufactured in accordance with drawings and specifications, the contracting officer may at any time, by a written order, and without notice to the sureties, make changes in the drawings or specifications, except Federal Specifications. Changes as to shipment and packing of all supplies may also be made as above provided.

Delays—Damages. If the contractor refuses or fails to make deliveries of the materials or supplies within the time specified in Article 1, or any extension thereof, the Government may by written notice terminate the right of the contractor to proceed with deliveries or such part or parts thereof as to which there has been delay.

Payments. The contractor shall be paid, upon the submission of properly certified invoices or vouchers, the prices stipulated herein for articles delivered and accepted or services rendered, less deductions, if any, as herein provided. Unless otherwise specified, payments will be made on partial deliveries accepted by the Government when the amount due on such deliveries so warrants; or, when requested by the contractor, payments for accepted partial deliveries shall be made whenever such payments would equal or exceed either \$1,000 or 50 percent of the total amount of the contract.

¹ Approved by the Under Secretary of War June 19, 1941.

Discount. All or any payments made under the terms of this contract are subject to a discount * * * percent of the amount or amounts stipulated, if payment of the invoice is made on or before the tenth of the month following the month in which deliveries are made of articles invoiced.

Option. 1. The Government is granted the right and option at any time within * * * days from and after date of approval of this contract to increase the quantity or quantities of articles called for under the terms of Article 16 of this contract to any quantity set forth herein.

2. The Government is granted the further right and option at any time during the life of this contract to increase the quantity or quantities of articles called for under the terms of Article 16 hereof, at not more than the unit prices stipulated by any amount not exceeding * * * percent of the entire contract price stipulated, said increase to be applied as to all or any item or items at the option of the Government.

Termination when contractor not in default. If, in the opinion of the contracting officer upon the approval of the Secretary of War, the best interests of the Government so require, this contract may be terminated by the Government, even though the contractor be not in default, by a notice in writing relative thereto from the contracting officer to the contractor.

This contract authorized under Act of March 5, 1940.

FRANK W. BULLOCK,
Major, Signal Corps,
Assistant to the Director of
Purchases and Contracts.

[F. R. Doc. 41-5611. Filed, August 1, 1941;
9:38 a. m.]

[Supplemental Contract to W 535 ac-16288;
3897]

SUMMARY OF CONTRACT FOR AERONAUTICAL
ENGINES, ETC.

CONTRACTOR: WRIGHT AERONAUTICAL COR-
PORATION

This supplemental contract,¹ made and entered into this 27th day of May 1941, by and between the Wright Aeronautical Corporation, hereinafter called the Contractor, and the United States of America, hereinafter called the Government.

The parties hereto have entered into a contract designated as Contract W 535 ac-16288² which was approved by the Assistant Secretary of War, Robert P. Patterson, under date of November 1, 1940, which covers the procurement of

* * * Aeronautical Engines, Spare Parts and Data for the United States Army Air Corps, and the United States Navy.

The Government is desirous of purchasing additional engines and spare parts identical to certain of the engines and spare parts called for under Contract W 535 ac-16288.

The parties hereto do hereby agree as follows:

ARTICLE I. The quantities of articles called for under Article I of Contract W 535 ac-16288 are hereby increased as follows:

(a) Quantity of * * * Aeronautical Engines called for under items 3 and 5 is increased from * * * to * * *.

(c) The quantity of spare parts called for under items 8 and 10 is increased from * * * to * * *.

ART. II. Article 2 of Contract W 535 ac-16288 is hereby changed as follows:

(a) Quantity under Item 3 is changed from * * * to * * * Aeronautical Engines; estimated cost under Item 3 is changed from sixteen million seven hundred twenty two thousand eight hundred and seven dollars and fifty cents (\$16,722,807.50) to eighteen million eight hundred twenty two thousand eight hundred eighty one dollars (\$18,822,881.00)

(b) Quantity under Item 5 is changed from * * * to * * * Aeronautical Engines; estimated cost under Item 5 is changed from thirteen million five hundred seventy six thousand seven hundred eighty dollars and forty eight cents (\$13,576,780.48) to seventeen million seven hundred ninety two thousand seven hundred ninety two dollars and forty eight cents (\$17,790,792.48) (this amount does not include increase in estimated cost provided for under Change Order, Serial No. 3841 change No. 1, to Contract W 535 ac-16288 hereinbefore referred to).

(c) Estimated cost under Item 8 is changed from two million six hundred seventy five thousand six hundred forty nine dollars and twenty cents (\$2,675,649.20) to two million nine hundred thirty eight thousand one hundred fifty eight dollars and thirty nine cents (\$2,938,158.39).

(d) Estimated cost under Item 10 is changed from three million two hundred sixty three thousand nine hundred forty three dollars and eighty four cents (\$3,263,943.84) to four million one hundred six thousand seven hundred forty six dollars and twenty four cents (\$4,106,746.24).

(e) Total estimated cost on Contract W 535 ac-16288 is changed from one hundred twelve million one hundred thirty five thousand two hundred fifty five dollars and twenty six cents (\$112,135,255.26) to one hundred nineteen

million five hundred fifty four thousand six hundred fifty two dollars and thirty five cents (\$119,554,652.35).

ART. III. Article 3 of Contract W 535 ac-16288 is amended as follows:

(a) The fixed fee for aeronautical engines as set forth in paragraph (a) is increased from six million eight hundred thirty three thousand five hundred sixty dollars and ninety three cents (\$6,833,560.93) to seven million two hundred sixty nine thousand one hundred seventy five dollars and fifty two cents (\$7,269,175.52).

(b) The approximate fixed fee for spare parts as set forth in paragraph (a) is increased from nine hundred two thousand one hundred four dollars and two cents (\$902,104.02) to nine hundred seventy eight thousand three hundred fifty eight dollars and ninety cents (\$978,358.90).

ART. IV. In the manufacture and construction of * * * of the additional * * * aeronautical engines called for under the terms of sub-paragraph (b) of Article 1 hereof, the Contractor shall furnish and install * * *. As a result of the installation called for, the estimated cost on Contract W 535 ac-16288 as heretofore amended is further increased in the amount of forty three thousand two hundred twelve dollars and fifty four cents (\$43,212.54) and the fixed fee for aeronautical engines is further increased in the amount of three thousand twenty four dollars and eighty eight cents (\$3,024.88).

ART. VII. In the event advanced payments are desired by the Contractor on the additional quantities of Aeronautical Engines and Spare Parts called for under this supplemental contract, same shall be accomplished in a manner similar to that heretofore used for the making of advanced payments on original quantities of articles called for under Contract W 535 ac-16288.

The supplies and services to be obtained by this instrument are authorized by, are for the purpose set forth in, and are chargeable to the following Procurement Authorities, the available balances of which are sufficient to cover cost of same.

AC 34 P 12-3037 A 0705-01
AC 26 P 81-3037 A 0705-01
AC 28 P 82-3037 A 0705-01
AC 34 P 12-3037 A 0705-01

Total \$7,977,503.98.

This Supplemental Contract authorized under the provisions of section 1 (a) of the Act of July 2, 1940 (Public No. 703, 76th Congress)

FRANK W. BULLOCK,
Major, Signal Corps,
Assistant to the Director of
Purchases and Contracts.

[F. R. Doc. 41-5610; Filed, August 1, 1941;
9:37 a. m.]

¹ Approved by the Under Secretary of War June 17, 1941.

² 5 F.R. 5151.

[Change No. 5 to Contract No. W 535 ac-15948]

CHANGE ORDER ¹

CONTRACTOR: DOUGLAS AIRCRAFT COMPANY, INC., SANTA MONICA, CALIFORNIA

Subject: Additional Spare Parts.

Affecting: Contract W 535 ac-15948, as amended.

Under authority contained in section 1 (a) of the Act of July 2, 1940 (Public No. 703—76th Congress) Contract W 535 ac-15948, as amended, is hereby further amended as indicated hereinbelow:

(a) The estimated cost more particularly set forth under the terms of Article 2 for the spare parts for the * * * airplanes called for under the terms of Item 2 of Article 1 of the contract, is hereby increased from \$5,754,200.04 to \$7,192,750.05; total additional estimated cost \$1,438,550.01.

(b) As a result of increasing the quantity of spare parts called for under the terms of Item 2, the fixed fee provided for under the terms of Article 3 of the contract, is hereby increased from \$7,999,279.83 to \$8,085,592.83, or a total additional estimated fixed fee of \$86,313.00.

The supplies and services to be obtained by this instrument are authorized by, are for the purpose set forth in, and are chargeable to Procurement Authority AC 28 P 82-3037 A 0705-01 the available balance of which is sufficient to cover cost of same.

FRANK W. BULLOCK,
Major, Signal Corps,
Assistant to the Director of
Purchases and Contracts.

[F. R. Doc. 41-5609; Filed, August 1, 1941; 9:37 a. m.]

[Correction Order No. 1]

CORRECTION ORDER TO COST-PLUS-A-FIXED-FEE CONTRACT NO. W-7011 QM-1,² DATED DECEMBER 31, 1940, FOR THE CONSTRUCTION OF A PLANT FOR THE LOADING OF FIXED ROUNDS, SHELLS, BOOSTERS AND FUZES AT MILAN, TENNESSEE

CONTRACTOR: THE H. K. FERGUSON COMPANY, HANNA BUILDING, CLEVELAND, OHIO

Estimated cost: Original, \$11,441,200; corrected, \$300,000; total, \$11,741,200.

Fixed fee: Original, \$73,170; corrected, No Change; total \$73,170.

Correction order for: Correction in estimated cost of contract.

The parties do hereby mutually agree that the said contract shall be and the same is hereby corrected in the following manner:

1. Change the estimated cost of the project as shown on page 1 of the principal contract to read:

¹ Approved by the Under Secretary of War June 24, 1941.

² 5 F.R. 4645.

³ 6 F.R. 655.

Estimated cost of construction project, \$11,741,200.

2. Delete the last three (3) lines of Article I appearing on page 4, and substitute in lieu thereof the following:

and estimated to cost \$11,741,200.

3. The principal contract, except as modified and amended by this Correction Order shall be and remain in full force and effect.

The parties hereto have executed this Correction Order as of the 17 day of March, 1941.

FRANK W. BULLOCK,
Major, Signal Corps,
Assistant to the Director
of Purchases and Contracts.

[F. R. Doc. 41-5608; Filed, August 1, 1941; 9:37 a. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. 2-FD]

IN THE MATTER OF THE APPLICATION OF ALABAMA COALS, INCORPORATED, FOR PROVISIONAL APPROVAL AS A MARKETING AGENCY; IN RE: THE MODIFICATION AND AMENDMENT OF THE ORDER GRANTING APPLICANT PROVISIONAL APPROVAL AS A MARKETING AGENCY

ORDER TO SHOW CAUSE AND NOTICE OF HEARING

Applicant, Alabama Coals, Incorporated, having filed an application with the National Bituminous Coal Commission (predecessor of the Bituminous Coal Division) requesting provisional approval as a marketing agency pursuant to Order No. 6 issued by said National Bituminous Coal Commission on June 21, 1937; and

The National Bituminous Coal Commission, by its Order issued on September 22, 1937, as modified by its Orders of December 9, 1937, and January 28, 1938, having granted the application of Alabama Coals, Incorporated, for provisional approval, as a marketing agency until further order of the Commission; and

The Bituminous Coal Division having succeeded to the duties and functions of the National Bituminous Coal Commission; and

It appearing necessary and reasonable that said Order of the National Bituminous Coal Commission dated September 22, 1937, as modified December 7, 1937, and January 28, 1938, be further modified and amended as hereinafter described, in order to protect the public interest, and generally to comply with the provisions of the Bituminous Coal Act of 1937, particularly the provisions of section 12 thereof, and to effectuate the purposes thereof:

It is, therefore, ordered, Pursuant to authority granted in the Act, particu-

larly section 12 thereof, and in accordance with the provision of the Order issued by the National Bituminous Coal Commission January 28, 1938, granting provisional approval to the Applicant as a marketing agency, subject to further order of the Commission, that Applicant be, and is hereby required to show cause why the order granting provisional approval to Applicant as a marketing agency, should not be further modified and amended so as to incorporate therein the provisions set out in Exhibit "A" attached hereto¹ or provisions substantially similar thereto.

It is further ordered, That a hearing for said purpose be held before Joseph D. Dermody, or any other officer or officers of the Division duly designated to preside at such hearing, on August 19, 1941, at 10 a. m., at a hearing room of the Division, 734 15th Street NW., Washington, D. C. On said day, the Chief of the Records Section in Room 502 will advise as to the room where such hearing will be held.

Notice of said hearing is given to Applicant and to all other persons who may have an interest in the subject matter of the proceeding. Any person other than Applicant desiring to be heard at said hearing shall file a notice to that effect with the Bituminous Coal Division, 734 15th Street NW., Washington, D. C., on or before August 16, 1941, setting forth therein the nature of his interest and a concise statement of the matter or matters which he intends to present.

The matter concerned herewith is in regard to the further modification and amendment of the Order of the National Bituminous Coal Commission dated September 22, 1937, as modified by Orders of the National Bituminous Coal Commission dated December 9, 1937, and January 28, 1938, granting provisional approval to the Alabama Coals, Incorporated, as a marketing agency, to incorporate therein the provisions contained in Exhibit "A" attached hereto or provisions substantially similar thereto.

Dated: July 21, 1941.

[SEAL] DAN H. WHEELER,
Acting Director.

[F. R. Doc. 41-5615; Filed, August 1, 1941; 10:20 a. m.]

[Docket Nos. 1681-FD, 1682-FD, 1683-FD, 1684-FD, 1685-FD, 1687-FD]

IN THE MATTERS OF A. E. BONDS, C. T. NORMAN, ED. SELLOR, DAISY CITY COAL COMPANY, K. D. ABNEY, LONG & EARLY, DEFENDANTS

ORDER CHANGING PLACE OF HEARINGS

The above-entitled matters having been heretofore scheduled for hearings at 10 o'clock in the forenoon of October 16, 1941, at a hearing room of the Bituminous Coal Division at the Jefferson

¹ Filed as part of the original document.

County Court House, Birmingham, Alabama; and

The Director deeming it advisable that said place of hearings should be changed;

Now therefore it is ordered, That the hearings in the above-entitled matters be changed from the Jefferson County Court House at Birmingham, Alabama, to a hearing room of the Bituminous Coal Division at the Tutwiler Hotel, Birmingham, Alabama, at the time heretofore designated and before the officers previously designated to preside at said hearings.

Dated: July 31, 1941.

[SEAL]

H. A. GRAY,
Director.

[F. R. Doc. 41-5614; Filed, August 1, 1941;
10:20 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Marketing Service.

[P. & S. Docket No. 1404]

THE SECRETARY OF AGRICULTURE, COMPLAINANT, V. NORFOLK HORSE & MULE COMMISSION SALES COMPANY, RESPONDENT

ORDER OF INQUIRY, ORDER OF SUSPENSION AND NOTICE OF HEARING

This proceeding is instituted pursuant to the provisions of Title III of the Packers and Stockyards Act, 1921, as amended, (7 U.S.C. and Supp. V, §§ 181-231), and the following allegations are made:

1. The respondent is engaged in the business of conducting or operating a stockyard at Norfolk, in the State of Nebraska, which stockyard has been ascertained by the Secretary of Agriculture to be a "stockyard" within the definition thereof as used in the act, and which has been posted as such by the Secretary of Agriculture under the act.

2. The respondent is registered as a market agency and dealer under the Packers and Stockyards Act and is engaged in the business of buying and/or selling livestock, in commerce, on a commission basis.

3. In accordance with the requirement of the Packers and Stockyards Act, the respondent has heretofore filed and put into effect schedules of rates and charges for its services.

4. On or about July 15, 1941, the respondent made, filed and published, effective August 2, 1941, a new schedule of rates and charges designated as Tariff No. 4, providing for rates and charges for its services, some of which are materially greater than those set forth in its schedule now on file.

5. Upon an examination of the records and other information in the possession of the Department of Agriculture, there is reason to believe that the increases proposed by such new schedule are not justified, and that such increases are, in fact, unreasonable.

6. The respondent has failed to keep such accounts, records, and memoranda

as fully and correctly disclose all transactions involved in its business.

It is concluded that a proceeding under Title III of the act should be had for the purpose of determining the reasonableness and lawfulness of the rates and charges provided for in Tariff No. 4, and that pending a hearing and decision in such proceeding, the operation of respondent's Tariff No. 4 should be suspended and its use deferred.

It is further concluded that a hearing should be had for the purpose of determining the lawfulness of all rates and charges of the respondent and of any rule, regulation, or practice affecting said rates and charges, or whereby any stockyard service is rendered by the respondent without making a lawful charge therefor.

It is therefore ordered, That the operation and use of the tariff designated as Norfolk Horse & Mule Commission Sales Company Tariff No. 4, of the respondent, be and is hereby suspended and deferred until the expiration of thirty days beyond the time when such schedule would otherwise go into effect as aforesaid.

It is further ordered, That notice to the respondent be and is hereby given that a hearing covering the allegations made herein will be held before an examiner at a time and place of which the respondent will have at least five days' notice. At such hearing, the respondent and all other interested persons will have a right to appear and present such evidence with respect to the matters and things alleged as may be relevant and material.

It is further ordered, That a copy hereof be served upon the respondent by registered mail.

It is further ordered, That this order shall be published in the FEDERAL REGISTER.

Done at Washington, D. C., this 31st day of July 1941. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL,
Assistant Secretary of Agriculture.

[F. R. Doc. 41-5604; Filed, July 31, 1941;
2:15 p. m.]

Rural Electrification Administration.

[Administrative Order No. 609]

ALLOCATION OF FUNDS FOR LOANS

JULY 23, 1941.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project Designation	Amount
Alabama 2032B2 Geneva.....	\$145,000
Alabama 2039A1 Lamar.....	400,000
Alaska 2003A1 Kodiak Public.....	75,000
Alaska 2003G1 Kodiak Public.....	50,000
California 2006C1 Modoc.....	80,000
Colorado 2014D1 Alamosa.....	210,000
Georgia 2035E1 Walton.....	134,000

Project Designation	Amount
Idaho 2017D1 Fremont.....	\$119,000
Idaho 2019A2 Butte.....	15,000
Idaho 2021A2 Camas.....	6,000
Illinois 2027B1 Edgar.....	288,000
Illinois 2030C1 Adams.....	189,000
Illinois 2043B2 Pulaski.....	144,000
Indiana 2052C1 Ripley.....	290,000
Iowa 2057C1 Mitchell.....	128,000
Iowa 2074C1 Allamakee.....	370,000
Iowa 2080A1 Ringgold.....	254,000
Kansas 2008C1 Allen.....	92,000
Kansas 2008D1 Allen.....	115,000
Kentucky 2056B2 Morgan.....	65,000
Louisiana 2009E2 Lafayette.....	50,000
Louisiana 2018B2 Beauregard.....	200,000
Minnesota 2087A1 Marshall.....	292,000
Minnesota 2099G2 Lake of the Woods.....	175,000
Mississippi 2034E1 Leflore.....	160,000
Mississippi 2038C1 Warren.....	70,000
Missouri 2046B1 Taney.....	237,000
Nebraska 2079A1 Red Willow District Public.....	124,000
Oklahoma 2032G1 Comanche.....	500,000
Oregon 2002D1 Lane.....	110,000
Oregon 2016GM2 Malheur.....	15,000
Oregon 2021C1 Coos.....	224,000
Oregon 2025B1 Deschutes.....	77,000
Oregon 2028B1 Oakland.....	380,000
South Carolina 2040A2 Hampton.....	153,000
Texas 2011D1 Kaufman.....	88,000
Texas 2038E1 Hill.....	38,000
Texas 2044C1 Hunt.....	30,000
Texas 2060C1 Lynn.....	130,000
Texas 2098B1 Young.....	137,000
Texas 2121A2 Brazos.....	1,300,000
Vermont 2008G4 Washington.....	10,000
Washington 2017B1 Klickitat District Public.....	450,000
Wisconsin 2059A1 Washington Island.....	40,000
Wisconsin 2060A2 Waushara.....	231,000
Wyoming 2016A1 Hot Springs.....	88,000

[SEAL]

HARRY SLATTERY,
Administrator.

[F. R. Doc. 41-5603; Filed, July 31, 1941;
2:15 p. m.]

Surplus Marketing Administration.

[Docket No. AO 158-RO 1]

NOTICE OF REOPENING OF THE HEARING WITH RESPECT TO A PROPOSED MARKETING AGREEMENT AND A PROPOSED ORDER REGULATING THE HANDLING OF IRISH POTATOES GROWN IN THE COUNTIES OF DESCHUTES, CROOK, AND KLAMATH IN THE STATE OF OREGON, AND MODOC AND SISKIYOU IN THE STATE OF CALIFORNIA

Notice is hereby given that the hearing¹ with respect to a proposed marketing agreement and a proposed order regulating the handling of Irish potatoes grown in the counties of Deschutes, Crook, and Klamath in the State of Oregon, and Modoc and Siskiyou in the State of California will be reopened on August 13, 1941, at 10:00 a. m., P. s. t., in Room 629 Pacific Building, 4th and Market Streets, San Francisco, California.

This notice is given pursuant to the provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, and of the General Regulations, Series A, No. 1, as amended, of the Agricultural Ad-

¹ 6 F.R. 3046.

justment Administration, United States Department of Agriculture.

This public hearing is for the purpose of receiving additional evidence consisting of information or statistical data relating to the acreage, yield, production, farm prices, parity prices, and carlot shipments of Irish potatoes grown in the aforesaid counties in Oregon and California, and other information or data related thereto.

Copies of the proposed marketing agreement and order may be obtained from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 0310 South Building, Washington, D. C., or may be there inspected.

[SEAL] PAUL H. APPELBY,
Under Secretary of Agriculture.
Dated: August 1, 1941.

[F. R. Doc. 41-5620; Filed, August 1, 1941;
11:24 a. m.]

FEDERAL POWER COMMISSION.

[Project No. 1508]

IN THE MATTER OF STATE OF ARIZONA

ORDER FIXING DATE OF HEARING

JULY 30, 1941.

Upon application filed August 3, 1938, by the State of Arizona (now represented by the Colorado River Commission of Arizona) for a preliminary permit pursuant to section 4 (f) of the Federal Power Act for a proposed water power development on the Colorado River, commonly referred to as the "Bridge Canyon Project";

It appearing that:

(a) A request for postponement by the Commission of action upon the application was received in September 1938 from a special committee representing the four upper basin States of the Colorado River (Utah, New Mexico, Wyoming and Colorado) and later representatives of the seven Colorado River basin States, including Arizona, asked for additional delay on the application until after such representatives had given the application further consideration;

(b) The Comprehensive Development Committee of Fourteen of the Upper Basin (an organization apparently succeeding to the functions of the Seven State Colorado River Basin Committee) in January 1939 requested postponement of action by the Commission, and in April 1939 a request was made by the Committee of Fourteen for a delay of six months;

(c) The Committee of Fourteen sought further extensions of time in December 1939, in August 1940, in November 1940, in January 1941, and in March 1941;

(d) All of the extensions requested, referred to above, have been granted by the Commission, but further requests

have recently been made for continued delay, and no grounds have yet been stated to justify such further and continued delay in disposal of the application;

(e) The Secretary of the Interior has objected to the issuance of a preliminary permit to the applicant and has raised a question as to the authority of the Commission to issue a license for a power development within the proposed project area covered by the application;

The Commission finds that:

A public hearing on the application is desirable to ascertain: (1) the facts and the law surrounding the Commission's jurisdiction to issue a preliminary permit or license for a power development in the area proposed by the applicant under the Federal Power Act; (2) whether the applicant is now ready to make the examinations and surveys, prepare the maps, plans, specifications and estimates, make financial arrangements and otherwise to perform the acts required of a permittee under the statute;

The Commission orders that:

A public hearing on said application and the matters referred to above be held on September 22, 1941, beginning at 9:45 o'clock a. m., in the Commission's Hearing Room, Hurley-Wright Building, 1800 Pennsylvania Avenue NW., Washington, D. C.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 41-5633; Filed August 1, 1941;
11:52 a. m.]

[Docket No. DI-155]

IN THE MATTER OF WISCONSIN MICHIGAN
POWER COMPANY

ORDER FIXING DATE OF HEARING

JULY 30, 1941.

Upon Declaration of Intention, Docket No. DI-155, filed on April 27, 1940, and application for license, Project No. 1759, filed on September 13, 1940, by Wisconsin Michigan Power Company of Appleton, Wisconsin, with respect to its proposed storage reservoir and its proposed Peavey Falls power plant, both situated in Iron County, Michigan, on the Michigamme River;

It is ordered that: A hearing be held upon said Declaration of Intention and application for license beginning at 9:45 A. M. on October 13, 1941, in the hearing room of the Commission, 1757 K Street NW., Washington, D. C.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 41-5634; Filed, August 1, 1941;
11:52 a. m.]

[Docket Nos. ID-91, ID-518, ID-506]

IN THE MATTER OF R. B. MACDONALD, H. E.
LITIG, AND GEORGE G. KUHN

ORDER POSTPONING DATE OF HEARING

JULY 31, 1941.

It appearing to the Commission that:

(a) By order dated June 24, 1941, a public hearing in the above entitled matters was set for July 28, 1941, at 9:45 a. m., in the United States Court Room, Federal Building, Davenport, Iowa, which hearing by order dated July 24, 1941, was postponed to August 11, 1941;

(b) Good cause exists for a postponement of the date of said public hearing;

The Commission, upon its own motion, orders that:

The public hearing in the above entitled matters is postponed to August 13, 1941, at 9:45 a. m., in the United States Court Room, Federal Building, Davenport, Iowa.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 41-5635; Filed, August 1, 1941;
11:52 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 4-36]

IN THE MATTER OF EMPIRE GAS AND FUEL
COMPANY AND CITIES SERVICE COMPANY

ORDER POSTPONING DATE FOR FILING OF
RESPONDENTS ANSWERS AND HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 31st day of July, A. D. 1941.

The Commission having on July 3, 1941 issued a Notice of and Order for Hearing on the above entitled proceedings directing that the respondents named therein file with the Secretary of the Commission on or before August 2, 1941 their joint or several answers in the premises and that a hearing be held on August 19, 1941 at 10:00 A. M. in the offices of the Commission with reference to the allegations of the said Notice of and Order for Hearing; and Cities Service Company and Empire Gas and Fuel Company having requested that the date for filing answers and for the hearing as above be postponed so as to permit the continuance of conferences between the respondents and the staff of the Commission relative to the issues covered by the Notice of and Order for Hearing; and

It appearing to the Commission that the request made by the said Cities Service Company and Empire Gas and Fuel Company is not unreasonable and may appropriately be granted;

It is ordered, That the date of filing answers by Cities Service Company and

Empire Gas and Fuel Company as fixed in the said Notice of and Order for Hearing be and the same is hereby postponed until Monday, August 25, 1941, and that the hearing directed to be held in said order of July 3, 1941 be and the same hereby is postponed until Monday, September 15, 1941 at 10 o'clock in the forenoon at the same time and before the same officer of the Commission specified in the said Order of July 3, 1941.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-5632; Filed, August 1, 1941;
11:51 a. m.]

[File No. 70-344]

IN THE MATTER OF CONGRESS MACHINE ACCOUNTING CORPORATION, AND NEW ENGLAND GAS AND ELECTRIC ASSOCIATION

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 31st day of July, A. D. 1941.

The above-named parties, having filed applications pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6 (b) and 10 thereof, regarding the issue and sale by Congress Machine Accounting Corporation, a subsidiary service company, to New England Gas and Electric Association, of 400 shares of additional common stock of the par value of \$100 per share to aggregate \$40,000; and

Said applications having been filed on July 2, 1941 and certain amendments having been filed thereto, the last of said amendments having been filed on July 15th, 1941, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act, and the Commission not having received a request for hearing with respect to said applications within the period specified in said Notice, or otherwise, and not having a hearing thereof; and

The Commission finding with respect to the said application under section 6 (b) of said Act that the requirements of section 6 (b) have been satisfied and with respect to said application under section 10 of said Act, that no adverse findings are necessary under section 10 (b) or 10 (c) (1) of said Act:

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said Act and subject to terms and conditions prescribed in Rule U-24, that the aforesaid applications as amended be and hereby are granted forthwith.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-5631; Filed, August 1, 1941;
11:51 a. m.]

[File No. 70-362]

IN THE MATTER OF CITIES SERVICE COMPANY

ORDER EXEMPTING TRANSACTION

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 31st day of July, A. D. 1941.

The above named company having filed applications and a declaration pursuant to sections 9 (c) (3) and 12 (c) of the Public Utility Holding Company Act of 1935 and Rules U-42 and U-100 thereunder regarding the acquisition by Cities Service Company of not to exceed 7,000 shares of its \$6 Cumulative Preferred Stock of no par value from the British Government or agents or representatives thereof; and

Said applications and declaration having been filed on July 25, 1941, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said Act and the Commission not having received a request for a hearing with respect to said applications or declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon, and the above named party having requested that said applications and declaration be granted and allowed to become effective or that said transactions be exempted from the applicable provisions of the Act or Rules thereunder on or before July 31, 1941; and

The Commission, having considered the circumstances under which such acquisitions from the British Government or agents or representatives thereof will be made and it appearing that an exemption of such transaction from the applicable sections of the Act or Rules thereunder, will not be detrimental to the public interest or the interests of investors and consumers;

It is ordered, Pursuant to sections 9 (c) (3) and 12 (c) and Rules U-42 and U-100 that such transactions, if effected in accordance with the terms and conditions of and for the purposes stated in the applications and declaration, be and they hereby are exempted.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-5630; Filed, August 1, 1941;
11:50 a. m.]

[File No. 59-6]

IN THE MATTER OF THE UNITED GAS IMPROVEMENT COMPANY AND ITS SUBSIDIARY COMPANIES, RESPONDENTS

ORDER REQUIRING DIVESTITURE BY HOLDING COMPANY SYSTEM OF COMPANIES AND PROPERTY OWNED OR OPERATED THEREBY

At a regular session of the Securities and Exchange Commission, held at its

office in the City of Washington, D. C., on the 30th day of July, A. D. 1941.

1. The Commission on March 4, 1940, issued a Notice of and Order for Hearing pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935 with respect to The United Gas Improvement Company and its subsidiary companies, respondents, to determine what action is necessary and shall be required to be taken to limit the operations of The United Gas Improvement Company holding company system to a single integrated public utility system and to such additional systems and other businesses as are retainable under the standards of section 11 (b) (1) of the said Act;

2. The Commission on August 2, 1940, issued a Supplemental Notice of and Order for Hearing naming Home Ice Company and Arctic Ice Company as additional respondents in said proceeding;

3. The Commission on April 9, 1941, ordered respondents to show cause why the Commission should not issue an order in said proceeding pursuant to section 11 (b) (1) of said Act requiring divestment by The United Gas Improvement Company of its direct or indirect interest in the following named companies, *inter alia*, or the properties owned or operated thereby: Commonwealth Utilities Corporation, organized in the State of Delaware, a registered holding company controlling utility and non-utility companies; Arizona Ice and Cold Storage Company, Crystal Ice & Cold Storage Company, and Home Ice Company, operating in the State of Arizona; Galveston Ice & Cold Storage Company, operating in the State of Texas; Merchants Ice & Cold Storage Company and Crystal Ice Company, operating in the Commonwealth of Kentucky; National Ice & Service Company, operating in the State of Kansas; New State Ice Company, operating in the State of Oklahoma; St. Louis County Water Company and Springfield Ice and Refrigerating Company, operating in the State of Missouri; and Welsbach Company and Camden County Land Company, operating in the State of New Jersey;

4. Hearings having been duly held and arguments having been presented with respect to said matters, and it now appearing that respondents desire to present no additional evidence at this time and that they have had full and adequate opportunity to be heard and to present evidence; and

5. The Commission having considered the record and made and filed its Findings and Opinion with respect to such companies and properties and the assets owned and operated thereby, and having found that the action hereinafter directed to be taken is necessary and appropriate for the purpose of bringing about compliance with section 11 (b) (1) of said Act;

It is hereby ordered, pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935, that The United Gas Improvement Company shall sever its relationship with the companies named hereafter by disposing or causing the disposition, in any appropriate manner not in contravention of the applicable provisions of the said Act or the Rules and Regulations promulgated thereunder, of its direct and indirect ownership, control or holding of securities issued by Commonwealth Utilities Corporation, Arizona Ice and Cold Storage Company, Crystal Ice & Cold Storage Company, Home Ice Company, Galveston Ice & Cold Storage Company, Merchants Ice & Cold Storage Company, Crystal Ice Company, National Ice & Service Company, New State Ice Company, St. Louis County Water Company, Springfield Ice and Refrigerating Company, Welsbach Company and Camden County Land Company; and

It is further ordered, That the respondents, in accordance with subparagraph (c) of section 11 of said Act, shall comply with the above order within one year from the date of its entry (without prejudice to their right to apply for additional time to comply with such order, as provided in such section).

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-5629; Filed, August 1, 1941;
11:50 a. m.]

[File No. 812-100]

IN THE MATTER OF CASE, POMEROY & Co.,
INC.

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 31st day of July, A. D. 1941.

Application having been duly filed by the above named applicant for an order of the Commission under and pursuant to the provisions of section 3 (b) (2) of the Investment Company Act of 1940 declaring it to be excepted from the definition of an investment company contained in this Act on the ground that it is primarily engaged in a business other than that of investing, reinvesting, owning, holding or trading in securities.

It is ordered, That a hearing on the matter of this application be held on August 22, 1941 at 10:00 o'clock in the forenoon of that day at the office of the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing room clerk in Room 1102 will advise the interested parties where such hearing will be held.

It is further ordered, That James G. Ewell, Esquire, or any officer or officers of the Commission designated by it for that purpose shall preside at such hearing on such application. The officer so

designated to preside at any such hearing is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's Rules of Practice.

Notice of such hearing hereby is given to the above named applicant and to any other person or persons whose participation in such proceedings may be in the public interest or for the protection of the investors.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-5628; Filed, August 1, 1941;
11:49 a. m.]

[File No. 59-4]

IN THE MATTER OF ENGINEERS PUBLIC
SERVICE COMPANY AND ITS SUBSIDIARY
COMPANIES, RESPONDENTS

ORDER RE-CONVENING HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 31st day of July, A. D. 1941.

The Commission having on the 23rd day of July 1941 issued its Findings, Opinion and Order herein and having directed that further evidence be taken herein as to the matters designated by it in said Findings and Opinion, the date to be hereinafter fixed by the Commission:

It is ordered, That the hearing be reconvened for the purposes aforesaid on the 4th day of August 1941 at 10:00 A. M., in the offices of the Commission, 1778 Pennsylvania Avenue NW., Washington, D. C., before the trial examiner heretofore designated.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-5627; Filed, August 1, 1941;
11:49 a. m.]

[File No. 70-352]

IN THE MATTER OF INTERBOROUGH GAS
COMPANY, CONEWAGO GAS COMPANY

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 31st day of July, A. D. 1941.

Notice is hereby given that a declaration or application (or both), has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above named parties; and

Notice is further given that any interested person may, not later than August 15, 1941 at 4:30 P. M., E. S. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a

hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act or the Commission may exempt such transaction as provided in Rule U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D. C.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

Pennsylvania Gas & Electric Company, a subsidiary of Pennsylvania Gas & Electric Corporation, proposes to acquire all of the assets of its wholly owned subsidiary, Interborough Gas Company. In consideration for its acquisition of such assets, Pennsylvania Gas & Electric Company proposes to cancel the capital stock liability of Interborough Gas Company and the indebtedness of Interborough Gas Company owed to it. The capital stock of Interborough Gas Company presently consists of 650 shares of common stock of the par value of \$100 per share which was acquired by Pennsylvania Gas & Electric Company at a cost of \$658,209.74. Upon consummation of the transaction, Pennsylvania Gas & Electric Company will assume all other obligations of Interborough Gas Company, such obligations consisting entirely of current indebtedness.

Pennsylvania Gas & Electric Company also proposes to acquire all of the assets of its wholly owned subsidiary, Conewago Gas Company. In consideration for its acquisition of such assets, Pennsylvania Gas & Electric Company proposes to cancel the capital stock liability of Conewago Gas Company and the indebtedness of Conewago owed to it in the sum of \$300,000. The capital stock of Conewago Gas Company presently consists of 3,000 shares of common stock of the par value of \$100 per share which was acquired by Pennsylvania Gas & Electric Company at a cost of \$892,482.31. Upon the consummation of the transaction Pennsylvania Gas & Electric Company will assume all other obligations of Conewago Gas Company, such obligations consisting entirely of current indebtedness.

All of the capital stock of Interborough Gas Company and Conewago Gas Company and the notes of the above companies, evidencing their indebtedness to Pennsylvania Gas & Electric Company, have been pledged with the Chase National Bank of the City of New York under an indenture of Pennsylvania Gas & Electric Company dated September 1, 1925 as collateral security for the First Lien and Refunding Mortgage Bonds of Pennsylvania Gas & Electric Company issued under said indenture. As soon as the assets of Interborough Gas Company and Conewago Gas Company have been

acquired by Pennsylvania Gas & Electric Company, the properties, other than current assets, will be substituted for the above-mentioned securities and will become directly subject to the lien of the aforesaid indenture.

Declarant has designated section 12 (f) of the Public Utility Holding Company Act of 1935 and Rule U-43 promulgated thereunder as applicable to the proposed transactions.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-5626; Filed, August 1, 1941;
11:49 a. m.]

[File No. 70-356]

IN THE MATTER OF OGDEN CORPORATION
AND UTILITIES ELKHORN COAL COMPANY

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 31st day of July, A. D. 1941.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above named parties; and

Notice is further given that any interested person may, not later than August 15, 1941, at 4:45 P. M., E. S. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act or the Commission may exempt such transaction as provided in Rule U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D. C.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

On or before November 1, 1941 Utilities Elkhorn Coal Company, a wholly owned subsidiary of Ogden Corporation, proposes to issue and sell, and Ogden Corporation, a registered holding company, proposes to acquire, a series of notes totalling in principal amount \$325,742. All said notes are to mature three years from the date of issue and will bear interest at 5%. Included in the \$325,742, above-mentioned, will be a note for \$62,742 to evidence open account advances already received by Utilities Elkhorn Coal Company from Ogden Corporation. It is proposed that funds derived from the sale of the balance

of these notes will be used to further develop the properties of the Coal Company and to purchase equipment needed for that purpose. All said notes will contain a provision permitting payment before maturity without premium, and it is stated that according to present indications all sums advanced will be repaid not later than June 30, 1943.

Applicant and declarant have designated sections 6 (a) (b), 7, 9 (a), 10, and 12 (b) of the Public Utility Holding Company Act of 1935 and Rules U-43 and U-45, promulgated thereunder, as applicable to the proposed transaction.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-5625; Filed, August 1, 1941;
11:48 a. m.]

[File No. 70-353]

IN THE MATTER OF PENNSYLVANIA GAS &
ELECTRIC COMPANY AND PENNSYLVANIA
GAS & ELECTRIC CORPORATION

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 31st day of July, A. D. 1941.

Notice is hereby given that a declaration or application (or both), has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above named party or parties; and

Notice is further given that any interested person may, not later than August 15, 1941, at 4:45 P. M., E. S. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act or the Commission may exempt such transaction as provided in Rule U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D. C.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

Pennsylvania Gas & Electric Corporation proposes to surrender to its subsidiary, Pennsylvania Gas & Electric Company, for cancellation all of the outstanding common stock of the latter company consisting of 120,000 shares of a par value of \$10 per share. Pennsylvania Gas & Electric Corporation will receive no consideration for the surrender of said stock which, it is stated, has little, if any, value from an income standpoint.

It is also stated that the Pennsylvania Public Utility Commission has found that the total capitalization of the Pennsylvania Gas & Electric Company exceeds the total capitalizable assets by about \$1,600,000.

Pennsylvania Gas & Electric Corporation proposes to solicit proxies in favor of the surrender of the common stock above-mentioned from each class of its stockholders, to wit:

- (a) Holders of the Corporation's \$7 Cumulative Preferred Stock;
- (b) Holders of the Corporation's 7% Cumulative Preferred Stock;
- (c) Holders of the Corporation's Class "A" Common Stock;
- (d) Holders of the Corporation's Class "B" Common Stock.

Said proxies will be voted at the annual meeting of the Corporation, presently scheduled to be held at Wilmington, Delaware, on September 9, 1941.

Applicants and declarants have designated sections 12 (c), 12 (d) and 12 (f) of the Public Utility Holding Company Act of 1935 and Rules U-42, U-43 and U-44 as being applicable to the surrender of the common stock of Pennsylvania Gas & Electric Company by Pennsylvania Gas & Electric Corporation and the acceptance of such stock for cancellation by Pennsylvania Gas & Electric Company and section 12 (e) and Rule U-62 promulgated under the Act as applicable to the proposed solicitation of proxies.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-5624; Filed, August 1, 1941;
11:48 a. m.]

[File No. 70-330]

IN THE MATTER OF NORTHERN STATES
POWER COMPANY (MINNESOTA)

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 31st day of July, A. D. 1941.

The above-named party, a Minnesota corporation and a registered holding company, having filed an application and an amendment thereto, pursuant to the Public Utility Holding Company Act of 1935, particularly section 10 thereunder regarding the proposed acquisition from the Village of Sartell, Benton County, Minnesota, and Stearns County, Minnesota, of an electric distribution system and electric street lighting facilities therein located for the sum of \$1,000 to be paid in cash, from Sartell Brothers Company of an electric distribution system located in the Village of Sartell for the sum of \$1,500 to be paid in cash, and from Northern Natural Gas Company, a registered holding company and a subsidiary company of a registered holding company, of certain gas distribution facilities for the sum of \$1,000; and

Said application having been filed on June 4, 1941, and an amendment thereto having been filed on July 14, 1941, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 under said Act, and the Commission not having received a request for a hearing with respect thereto within the period specified in said notice or otherwise, and not having ordered a hearing thereon; and

Said party having requested that the effective date of said application, as amended, be advanced; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to grant said application, as amended, pursuant to Section 10 of said Act, and finding with respect thereto that no adverse findings are necessary under section 10 (b) and section 10 (c) (1) of said Act, and that the transaction involved has the tendency required by section 10 (c) (2) of said Act; and

The Commission being satisfied that the date of granting said application, as amended, should be advanced;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said Act, and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid application, as amended, be and the same hereby is granted, forthwith.

By the Commission, Commissioner Healy dissenting for the reasons set forth in his memorandum of April 1, 1940.

[SEAL]

FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-5623; Filed, August 1, 1941;
11:48 a. m.]

